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THE

HISTORY

OF

GREAT BRITAIN,

FROM THE

FIRST INVASION OF IT BY THE ROMANS

UNDER JULIUS CÆSAR.

WRITTEN ON A NEW PLAN.

By ROBERT HENRY, D.D.

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THE

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BOOK V.

CHAP. II.

History of Religion in Great Britain, from the acceſſion of Henry IV. A. D. 1399, *to the acceſſion of Henry* VII. A. D. 1485.

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THE eccleſiaſtical tranſactions of this period that merit the attention of poſterity are not many: being for the moſt part, of a melancholy nature, they ſhall be related with as much brevity as is conſiſtent with perſpicuity.

Henry courts the clergy.

Henry IV. conſcious of the defect of his title to the throne, earneſtly deſired to gain the favour and ſupport of the clergy. With this view he ſent the earl of Northumberland to a convocation of the province of Canterbury, met in the chapter-houſe of St. Paul's, 6th October A. D. 1399, with a meſſage admirably adapted to pleaſe the members of

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of that aſſembly, and attach them to his intereſt. "I am not come (ſaid the earl), like the commiſ-"ſioners of former kings, to demand your money, "but to aſſure you, that my royal maſter never "will demand any money of his clergy, except in "caſes of the moſt extreme neceſſity. I am come "moſt earneſtly to beg the prayers of the church "for the king and kingdom; and to promiſe, that "he will protect the clergy in all their liberties, and "immunities; and that he will aſſiſt them with all "his power in exterminating heretics[1]." The firſt of theſe promiſes was ſoon forgotten; and no king of England ever made ſuch frequent demands of money from the clergy as Henry IV. after he was firmly eſtabliſhed on the throne; but the ſecond was too faithfully performed.

Law againſt the Lollards.

Archbiſhop Arundel, who was now reſtored to his ſee of Canterbury, was a cruel enemy to Wickliffe and his followers. When he was archbiſhop of York, he perſecuted them with great ſeverity; but being now placed at the head of the church, and ſupported by all the power of the crown, he determined to ſhew them no mercy. That he might be armed with legal powers to take vengeance on the devoted Lollards, he and his clergy applied to the parliament that met at Weſtminſter A. D. 1400, repreſenting, that many perſons, who had no authority from a biſhop, preached heretical doctrines, publiſhed heretical books, and taught errors and hereſies in the ſchools; and praying the parliament to provide a remedy againſt theſe dan-

[1] Wilkin. Conciliar. tom. 3. p. 238. 239.

gerous

gerous innovations. In compliance with this re- Cent. XV.
preſentation of the clergy, the parliament, or rather the king and peers, made a ſevere law againſt the Lollards, authoriſing the biſhops to impriſon all perſons ſuſpected of hereſy, to try them in the ſpiritual court; and if they proved either obſtinate or relapſed heretics, the ſpiritual judge was to call the ſheriff of the county, or the chief magiſtrate of the town, to be preſent when the ſentence of condemnation was pronounced, and immediately to deliver the condemned perſon to the ſecular magiſtrate who was to cauſe him to be burnt to death in ſome elevated place, in the ſight of all the people[2].

The archbiſhop, impatient to put this cruel law in execution, even during the ſeſſion of parliament that made it, brought ſir William Sawtre, rector of St. Oſwyth, London, to his trial for hereſy, before the convocation of the province of Canterbury, at St. Paul's. The chief hereſies of which he was accuſed were theſe two, that he refuſed to worſhip the croſs, and that he denied the doctrine of tranſubſtantiation. The unhappy man, in order to avoid the painful death with which he was threatened, endeavoured to explain away his hereſies as much as poſſible. He conſented to pay an inferior vicarious kind of worſhip to the croſs, on account of him who died upon it. But that gave no ſatisfaction. He acknowledged the real

Burning of ſir William Sawtre.

[2] Statutes, 2d Hen. IV. ch. 15. Wilkin. Concil. tom. 3, p. 271.

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preſence of Chriſt in the ſacrament; and that after the words of conſecration were pronounced, the bread became the true ſpiritual bread of life. He underwent an examination of no leſs than three hours on that ſubject, February 19, A. D. 1401; but when the archbiſhop urged him to profeſs his belief,—"That after conſecration the ſubſtance of "the bread and wine no longer remained, but was "converted into the ſubſtance of the body and "blood of Chriſt, which were as really and truly "in their proper ſubſtance and nature in the ſacra-"ment, as they were in the womb of the Virgin "Mary, as they hung upon the croſs, as they lay "in the grave, and as they now reſided in heaven;" he ſtood aghaſt, and, after ſome heſitation, declared, "That, whatever might be the conſequence, he "could neither underſtand nor believe that doc-"trine." On this the archbiſhop pronounced him an obſtinate heretic, degraded him from all the clerical orders with which he had been inveſted, and delivered him to the mayor and ſheriffs of London, with this hypocritical requeſt, that they would uſe him kindly; though he well knew, that all the kindneſs they dared to ſhew him was to burn him to aſhes. He was accordingly burnt in Smithfield, and had the honour to be the firſt perſon in England who ſuffered this painful kind of death, for maintaining thoſe doctrines which are now maintained by all the proteſtant churches [1].

[1] Wilkin. Concil. tom. 3. p. 261. Fox, Acts and Monuments, p. 476, 477.

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This cruel public execution of ſo reſpectable a clergyman ſtruck terror into all the followers of Wickliffe, and made many of them conceal their opinions to preſerve their lives. Others of them, when they were brought to their trial fainted, wounding their conſciences, by pretending to renounce their ſentiments; and ſeveral years elapſed before any one was found who had fortitude to endure the fiery trial[4]. Great multitudes, however, in all parts of England, particularly in London, Oxford, Shrewſbury, Norfolk, and Lincolnſhire, ſtill ſecretly adhered to the opinions of Wickliffe[5].

Lollards diſmayed.

Archbiſhop Arundel was as ſuperſtitious as he was cruel. He increaſed the number of holidays, and appointed additional acts of worſhip to be paid to the Virgin Mary, to whoſe patronage he aſcribed all the proſperity of the Engliſh nation, and particularly the late revolution, which had reſtored him to his ſee[6]. To do this prelate juſtice, he attempted to rectify a very great abuſe which had long prevailed, of holding fairs and markets in church-yards on Sundays. He prohibited this practice, except in harveſt, when it was thought to be neceſſary[7].

Arundel ſuperſtitious.

William Thorp, a clergyman of uncommon learning for the age in which he flouriſhed, was a diſciple of Wickliffe, and preached the doctrines he had learned from him in many parts of England. He was ſometimes impriſoned; but by his

Sufferings of Mr. Thorp.

4 Fox, Acts and Monuments, p. 435.
5 Id. ibid.
6 Wilkin. Concil. tom 3. p. 246. 252.
7 Id. ibid.

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own prudence and favourable events, he long eſcaped any ſeverer ſufferings. Being apprehended by the magiſtrates of Shrewſbury, he was ſent to the archbiſhop of Canterbury; before whom, and three of his moſt learned clergy, he underwent a very long examination, on the firſt Sunday of Auguſt A. D. 1407; of which he wrote a very diſtinct account. From this account it appears, that Mr. Thorp was an overmatch for his antagoniſts at diſputation; which made them have recourſe to promiſes and threatenings to ſhake his conſtancy. The primate, who was much addicted to prophane ſwearing, declared, with many oaths,—"That he "would purſue him, and all his ſect ſo narrowly, "that he would not leave one ſlip in the land." One of the aſſiſtant prieſts told him, that if he did not recant, he ſhould be curſed, degraded, burnt, and damned; and another of them propoſed to throw him into the ſea. At laſt the primate adopted a meaſure, in appearance at leaſt, milder. He committed him to a loathſome priſon at Saltwood, the horrors of which had overcome the fortitude of ſeveral other Lollards; and in this priſon, it is probable Mr. Thorp died, as no further mention is made of him in hiſtory [a].

Attempts on the patrimony of the church.

The exceſſive riches and diſſolute manners of many of the clergy created them many enemies, and produced ſeveral attempts againſt the patrimony of the church. When the king was reduced to great ſtraits in his expedition into Wales, A. D.

[a] Fox, p. 487—500.

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1403, ſome of his barons propoſed to ſeize the money and plate of certain rich prelates who were in the army, to ſupply his wants. But the primate, who was preſent, denounced ſuch threats againſt any who ſhould preſume to invade the property of the church, that the propoſal was not adopted [9]. In a parliament at Coventry, A. D. 1404, when a ſupply was demanded from the commons, they repreſented by their ſpeaker to the king, in the houſe of lords, that the commons were reduced to great poverty by frequent taxes and their perſonal ſervice, and could not afford any ſupply; but that the clergy wallowed in wealth; and that it was therefore reaſonable to take ſome of their ſuperfluous riches to ſupply the neceſſities of the ſtate. To ward off this blow the primate fell on his knees before the king, and conjured him to remember his coronation oath, by which he had ſolemnly ſwore to protect the church in all her privileges and immunities. The king deſired the archbiſhop to riſe and go to his place, and aſſured him he would defend the church in all her poſſeſſions, and would leave her richer than he found her. The peers adopting the ſame idea, the commons were not only obliged to relinquiſh their propoſal, but to beg pardon for their preſumption [10].

Laws againſt the court of Rome.

Several laws were made in this reign againſt the exorbitant exactions of the court of Rome, againſt the pope's providing ſucceſſors to benefices before

[9] Walſing. Ypodigma Neuſtriæ, p. 561.
[10] Id. ibid. Hiſt. Aug. p. 371, 372.

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they became vacant, and againſt his granting exemptions to the regular clergy from the payment of tithes [11]. But theſe laws were not more effectual than former ones to the ſame purpoſe.

Archbiſhop Arundel's conſtitutions.

The primate held a convention of the prelates and clergy of his province, at St. Paul's, January 14, A. D. 1409, in which thirteen canons or conſtitutions were made. In the preface to theſe canons, it is declared to be the moſt horrid of all crimes, to diſpute any of the doctrines, or diſobey any of the decrees, promulgated by the pope—"who carried the keys of eternal life and eternal "death; was the vicegerent, not of a mere man, "but of the true God, on earth; and to whom "God had committed the government of the "kingdom of heaven [12]." This was rather ſtrong language, eſpecially at a time when there were two popes, who had ſent one another to the devil, and were both declared contumacious heretics by the council of Piſa that ſame year [13]. The deſign of archbiſhop Arundel's conſtitutions was, to prevent the increaſe, and even to extirpate Lollardy, as the doctrines of Wickliffe were then called, by inflicting certain wholeſome ſevereties on thoſe who propagated or profeſſed theſe doctrines [14].

Burning of Thomas Badby.

An example of this ſeverity was exhibited ſoon after the publication of theſe canons. Thomas Badby, a taylor in the dioceſe of Worceſter, was

[11] Statutes at Large, item, &c.
[12] Wilkin. Concil. tom. 3. p. 314.
[13] Du Pin, Cent. XV. c. 1.
[14] Wilkin. Concil. tom. 3. p. 314, 319.

tried

tried and found guilty of hereſy by the biſhop of that ſee, January 2, A. D. 1410, and ſent, with a copy of his trial and ſentence, to the primate. The hereſy of which Badby was accuſed, and for which he was condemned, was this—"That the "ſacrament of the body of Chriſt, conſecrated by "the prieſt on the altar, was not the true body of "Chriſt, by virtue of the words of the ſacra- "ment; but that, after the ſacramental words "ſpoken by the prieſt to make the body of Chriſt, "the material bread did remain upon the altar as "at the beginning; neither was it turned into the "very body of Chriſt after the ſacramental words "ſpoken by the prieſt [15]." He was alſo accuſed of ſaying that "no prieſt was able to make the body of "Chriſt." On theſe ſubjects he was examined by the archbiſhop, in the preſence of nine other biſhops, and many of the chief nobility, March 1. The primate preſſed him earneſtly to renounce his errors, and believe as the church believed; and declared, that if he would do this, "he would gage "his ſoul for him at the day of judgment." But Badby ſtill adhering to his opinions, he pronounced him an obſtinate heretic, and delivered him to the ſecular magiſtrates, "deſiring them very inſtantly "not to put him to death;" though he knew perfectly that they could do nothing elſe. He was accordingly conducted to Smithfield the ſame day, in the afternoon, placed in a large tun, ſurrounded with dry wood, and faſtened to a ſtake with iron chains. Before the fire was kindled, the prince

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[15] Fox, p. 479.

of

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of Wales rode up to the pile, and earneſtly entreated him to ſave himſelf from a painful death, by renouncing his hereſies, promiſing him a competent annuity for life if he would comply. The poor man, with many expreſſions of the warmeſt gratitude to the prince, declared, that he firmly believed his opinions to be true, and that he could not renounce them, even to ſave his life. The fire being then put to the wood, when he felt the violence of the flames, he cried aloud for mercy. The prince thinking that the pain he had felt had overcome his fortitude, commanded the flames to be extinguiſhed, and renewed his intreaties to him to recant. But this humble ſufferer remaining invincible in his reſolution to endure any torment rather than renounce the truth, the fire was kindled, and he was reduced to aſhes [16].

Schiſm in the papacy.

As it doth not properly belong to our preſent ſubject, ſo it would be tedious to give a minute detail of all the ſteps that were taken by the church of England, in conjunction with other churches, to put an end to the ſchiſm in the papacy, which had now continued about thirty years. It is ſufficient to obſerve, that the two contending popes, Peter de Luna, called Benedict XIII. and Angelus Corarius, called Gregory XII. were depoſed by the council of Piſa, June 5, A. D. 1409, as manifeſt ſchiſmatics and heretics, guilty of contumacy and perjury; and on the 19th of the ſame month, that general council raiſed Peter Philaret, a Greek, to the papacy, who took the name of

[16] Fox, p. 477—480.

Alexander

Alexander V. and was acknowledged as pope by the church of England [17]. But this was ſo far from putting an end to the ſchiſm, that it added one pope more to the number; ſo that now, and for ſeveral years after, there were no fewer than three infallible heads of the church, and keepers of the keys of the kingdom of heaven, at once; who gave one another very bad names, which was not the worſt proof of their infallibility. Alexander V. died May 3, A. D. 1410, and was ſucceeded by Balthaſar Coſſa, a Neapolitan, who aſſumed the name of John XXIII. But John was depoſed, A. D. 1415, by the council of Conſtance, for hereſy, contumacy, perjury, ſimony, adultery, inceſt, and a thouſand cheats [18]. Benedict XIII. (Peter de Luna) was alſo depoſed; and Angelus Corarius (Gregory XII.) having reſigned, the chair of St. Peter was conſidered as empty, and Odon de Colonna, cardinal-deacon of St. George, was placed in it, who took the name of Martin V. But as Benedict XIII. did not ſubmit to the ſentence of depoſition, and even had a ſucceſſor named Clement VII. the ſchiſm was not fully terminated till A. D. 1429, after it had continued more than half a century, had occaſioned great confuſion in the Chriſtian world, and put all the princes and ſtates in Europe to incredible expence and trouble. Cent. XV.

Archbiſhop Arundel ſtill continued his efforts to extirpate the opinions of Wickliffe, by perſe- Perſecution.

[17] Du Pin, Cent XV. c. 1.

[18] Id. ibid. c. 2.

cuting

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cuting thoſe by whom they were maintained. He was the more exaſperated againſt theſe opinions, that ſome of them were hoſtile to the power and riches of the clergy; and their friends in the houſe of commons had made repeated attempts on the poſſeſſions of the church. In the parliament that met at Weſtminſter in the beginning of Lent A. D. 1409, the commons repreſented to the king, in the houſe of peers, "That if he would "pleaſe to take away the eſtates of the biſhops, "abbots, and priors, which they ſpent in unneceſ- "ſary pomp and luxury, the crown and kingdom "would reap great advantages, as it would enable "the king to ſupport 15 earls, 1500 knights, "6200 eſquires, and 100 hoſpitals [19]." But this petition was rejected; and the peers preſented a counter petition, praying the king to protect the patrimony of the church, and to puniſh all ſuch as taught the people that it was lawful to take it away [20].

The primate, in order to ſuppreſs the doctrines of Wickliffe in the univerſity of Oxford, where they prevailed more than in any other part of England, ſet out with a great retinue, A. D. 1411, to viſit that univerſity. But when he approached, he was met by the chancellor and proctors, who told him, that if he came only to take a view of their colleges, he ſhould be received and entertained with all the reſpect due to his high rank;

[19] Walſing. p. 379. [20] Fuller's Church Hiſt. book 4. p. 161.

but

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but that if he came as their viſitor, he could not be admitted, becauſe they were exempted by ſeveral papal bulls from all epiſcopal viſitation. The primate, greatly irritated at this repulſe, appealed to the king; who, after hearing both parties, pronounced a definitive ſentence, February 9, A. D. 1412, againſt the univerſity [21].

Doctrines of Wickliffe condemned.

The archbiſhop, being engaged in other affairs, did not execute his intended viſitation, but commanded the univerſity to appoint twelve of its moſt learned and orthodox members to examine the works of Wickliffe, and extract ſuch opinions as appeared to them heretical or erroneous. In compliance with this injunction, the univerſity choſe four doctors, four bachelors, and four ſtudents in divinity, who examined Wickliffe's works, and extracted no fewer than 267 opinions, which they declared to be partly heretical and partly erroneous, which they tranſmitted to the primate, who ſent them to the pope, with a requeſt to condemn them, and grant him authority to take the body of Wickliffe out of the grave, and throw it on a dunghill, that it might be trampled on by all Chriſtians. The pope condemned Wickliffe's doctrines, but refuſed to grant the primate permiſſion to diſturb his aſhes [22].

Lord Cobham attacked.

Though Henry IV. died March 30, A. D. 1413, the power of the primate was not diminiſhed, nor the perſecution of the Lollards in the leaſt

[21] Fuller's Church Hiſt. book 4. p. 164.
[22] Wilkin. Concil. tom. 3. p. 339—353.

abated;

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abated; the clergy having taken great pains to gain the favour of his ſon and ſucceſſor Henry V. The archbiſhop, ſecure of the ſupport of the crown, now determined to attack ſir John Oldcaſtle, lord Cobham, who was at the head of the party, in order to ſtrike terror into the reſt. Soon after the coronation of Henry V. a parliament met at Weſtminſter, and a convocation at St. Paul's. At this convocation, a copy of each of Wickliffe's works was publicly burnt, with great ſolemnity, by the primate, in preſence of the nobility, clergy, and people. It happened that one of the books burnt on this occaſion had belonged to lord Cobham, who was alſo accuſed by the proctors of the clergy as the great encourager of the Lollards, and was therefore ſummoned to appear before the convocation [23].

The king converſes with lord Cobham.

The primate, upon ſecond thoughts, did not think it proper to proceed any further againſt a perſon of ſuch high rank, and ſo renowned for his valour and virtues, till he had conſulted the king, and obtained his permiſſion to proceed. The king deſired the primate to delay the proſecution for ſome time, and promiſed to converſe with lord Cobham, and endeavour to perſuade him to renounce his errors. Accordingly he had a private converſation with him, and laboured very earneſtly to prevail upon him to return to the faith and obedience of the church. He anſwered in terms of the higheſt reſpect, but ſpoke with ſo much

[23] Fox. p. 514. Wilkin. Concilia, p. 353.

freedom

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freedom of the pope as antichriſt, that the king was diſguſted, and gave him up to the will of the clergy [24]. The primate, having obtained the royal permiſſion, proceeded with great vigour againſt lord Cobham; who having diſregarded three ſucceſſive ſummonſes, was declared contumacious, and excommunicated. In the mean time he was apprehended, and impriſoned in the tower of London, and brought from thence before the primate, aſſiſted by ſeveral biſhops and doctors, September 25. The primate narrated to him all the ſteps that had been taken in his affair, that he had been declared contumacious, and excommunicated; but that, on deſiring it, he was ready to grant him abſolution. Lord Cobham, taking no notice of this offer, ſaid, he was very willing to give them an account of his religious principles; and, pulling a paper out of his boſom, read it as the confeſſion of his faith, and then delivered it to the archbiſhop. The following is a copy of that curious paper, that may be ſuppoſed to contain the ſentiments of the moſt intelligent Lollards, cautiouſly expreſſed, in the language of that age.

" I John Oldcaſtell, knyght, lord of Cobham, " Wole, that all Criſtyn men wyte and under- " ſtond, that I olepe Allmyghty God in to wyt- " neſs, that it hath ben, now ys, and ever, with " the help of God, ſhall ben myn entent, and " my wylle, to beleve feythfully and fully all the

[24] Wilkin. Concilia, p. 353.

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" ſacramentis that evyr God ordeyned to be do in
" holy churche; and, more over, for to declare
" me in theſe foure peyntes: I beleve, that the
" moſt worſchipfull ſacrament of the auter is
" Chriſtes body in forme of bred, the ſame body
" that was born of the blyſſyd Virgyne our lady
" ſeint Marye, don on the croſs, deed and buryed
" the thrydde day, ros fro deth to lyf, the wych
" body is now glorified in hevene. Alſo, as for
" the ſacrament of penance, I beleve, that it is
" nedfull to every man that ſhall be ſaved, to for-
" ſake ſynne, and do due penance for ſynne bifore
" doon, wyth trewe confeſſion, very contrition,
" and duhe ſatisfaction, as Goddes law lymiteth
" and techeth, and ellys may not be ſaved.
" Whych penance I deſir all men to do. And
" of as ymages I underſtonde, that thei be not of
" belive, but that thei were ordeyned ſyth the bi-
" leve was zew of Criſt be ſufferaunce of the
" churche, to be kalenders to lewed men, to re-
" preſent and brynge to mynde the paſſion of our
" Lord Jheſu Criſt, and martirdom and good
" lyvying of other ſeyntis; and that who ſo it be
" that doth the worſchipe to dede ymages, that
" is duhe to God, or putteth ſeych hope or truſt
" in help of them, as he ſhuld do to God, or hath
" affeccion in one more than in an other, he doth
" in that the grete ſin of mawmentrie. Alſo I
" ſuppoſe this fully, that every man in this erthe
" is a pilgrime towarde blyſs, or toward peyne;
" and that he that knoweth not, ne wole not
" knowe, ne kepe the holy commandementes of
" God

" God in his lyvying here, al be it, that he goo " on pylgrimage to all the wolrd, an he dy ſo, he " ſhall be dampned; and he that knowyth the " holy comandementys of God, and kepeth hem " hys end, he ſhall be ſaved, tho' he nevir in hys " lyve go on pilgrymage, as men uſe now, to " Cantirbury or to Rome, or to any othir " place[25]." Cent. XV.

The primate, after conſulting with the biſhops and doctors, told lord Cobham, that ſeveral things in his paper had a good and catholic appearance; but that it was not ſufficiently explicit on any of the four heads, of the euchariſt, confeſſion, images, and pilgrimages. For his inſtruction, therefore, he gave him the following paper, containing the doctrine of the church on theſe ſubjects, and allowed him two days to conſider it. " The fayth " and the determination of holy churche touchyng " the bliſsfull ſacrament of the auter is this: That " after the ſacramentall wordes ben ſayde by a " preſt in hys maſſe, the material brēd that was " bifore, is turned into Criſtis verray body; and " the material wyn that was before, is turned into " Cryſtes verray blode; and there leweth in the " auter no material brede, ne material wyn, the " wych wer ther byfore the ſeying of the ſacra- " mental wordes: How lyve ye this article?— " Holy churche hath determyned, that every " Criſten man lyvyng here bodilich in erthe, " oughte to ſchryve to a preſt ordeyned by the Romiſh creed.

[25] Wilkin. Concilia. p. 354, 355.

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" churche if he may come to hym: How fele ye " this article?—Criſt ordeyned Seint Petir the " apoſtell, to ben his vicarie here in erthe; whos " ſee ys the church of Rome, ordynying and " grauntying the ſame power that he gaf to Petir " ſhuld ſuccede to all Petirs ſucceſſours; the wych " we callyn now popes of Rome; by whos power " in churches particuler ſpecial ben ordeyned pre- " lates, as archbyſhoppes, bysſhoppes, curates, " and other degrees, to whom Criſten men " oughte to obey after the lawes of the churche of " Rome. This is determination of holy churche: " How fele ye this articull?—Holy church " hath determined, that it is needfull to a Criſtyn " man to goo a pylgrymach to holy places, and " there ſpecially to worſhip holy reliqes of ſeyntes " apoſtelys, martyrs, confeſſours, and all ſeyntes " approved be churche of Rome. This is deter- " mination of holy churche: How fele ye this ar- " ticule[20]?" Such ſtrange things our anceſtors, in the fifteenth century, were obliged to believe, under the pain of being burnt to aſhes!

Lord Cobham condemned.

Lord Cobham was brought before the primate, biſhops, and doctors, on Monday September 25; and having again and again refuſed to profeſs his belief of the ſeveral articles contained in the paper that had been given him two days before, the archbiſhop, modeſtly, mildly, and ſweetly (as he ſays himſelf), pronounced a ſentence of condemnation againſt him, as an obſtinate heretic, and

[20] Wilkin. Concil. p. 354, 355.

delivered

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delivered him over to the ſecular arm; the meaning of which was perfectly well known [27]. At this laſt examination, which was very long, lord Cobham behaved with great intrepidity and preſence of mind, and frequently put the whole court to ſilence, by the quickneſs and propriety of his ſpeeches. As ſoon as the ſentence of condemnation was pronounced, he fell on his knees, and put up a fervent prayer to God to forgive his enemies; after which he was carried back to his priſon in the Tower [28].

Eſcapes from the Tower.

Though the king was offended with lord Cobham, for his oppoſition to the church, he ſtill eſteemed him for his valour; and therefore delayed his execution, in hopes of bringing him to recant. His condemnation was alſo very unpopular, and had brought a general odium upon his judges; which made the primate conſent to, or, as ſome ſay, deſire this delay; which gave the priſoner an opportunity of eſcaping from the Tower, and flying into Wales, where he concealed himſelf ſeveral years [29].

Death of Arundel, ſucceſſion of Chicheley.

Archbiſhop Arundel, whoſe character is ſufficiently indicated by his conduct, died February 19, A. D. 1414, and was ſucceeded by Henry Chicheley, biſhop of St David's who was elected by the monks of Canterbury, on the king's recommendation. Pope John XXIII. though in a very tickliſh ſituation himſelf, contending with two anti-

[27] Wilkin. Concil. p. 354, 355.
[28] See Fox, p. 516, &c.
[29] Walſing. p. 385.

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popes, diſannulled that election, as an encroachment on his right of nomination; but not daring to diſoblige the king and church of England too much, he nominated the ſame perſon who had been elected [30]. On receiving his pall from the pope, July 29, he took an oath of canonical obedience, in ſuch ſtrong terms, that it rendered him more the ſubject of that pontiff, than of his natural ſovereign [31].

Law againſt Lollards.

The new primate was as great a perſecutor of the Lollards as his predeceſſor. It was probably by his influence that a very ſevere law was made againſt them by the parliament at Leiceſter, A. D. 1415. By that law, all former ſtatutes againſt them were confirmed; and it was further enacted, That the chancellor, the judges of both benches, and of aſſize, all juſtices of the peace, ſheriffs, mayors, and bailiffs, ſhould take an oath at their admiſſion to their offices, to do every thing in their power to extirpate all Lollards out of the kingdom, and to aſſiſt the ordinaries in proſecuting Lollards [32].

Abuſes in the church.

At the king's command, the univerſity of Oxford drew up a catalogue of thoſe abuſes in the church that needed reformation, to be laid before the council of Conſtance. This catalogue conſiſts of forty-ſix articles, and (though it was compoſed by clergymen) gives a moſt odious picture of the manners of the clergy at this period, particularly

[30] Antiq. Britain. p. 276. [31] Duch. Vita Chichely, p. 12. Wilkin. p. 355.
[32] Statutes at large, an. 1415.

of

of their avarice and debauchery. Of each of theſe it will be ſufficient to give one example. In the twenty-ſeventh article it is ſaid, "It is notorious, "that when a Pagan or a Jew, abandoning his for- "mer errors, deſires to be purified in the holy "fount of baptiſm, all his temporal goods are "confiſcated to the church; which, it is believed "prevents many Jews from being baptiſed. It "would be pious and meritorious in the council "to remedy this abuſe. For when Philip baptiſed "the eunuch, he did not ſeize his chariot, or the "other goods he had about him, at his baptiſm." The thirty-eighth article repreſents, "That the "carnal and debauched lives of the clergy in our "days, and their public fornications, which are "never puniſhed (except perhaps by a ſmall fine "in private), ſet an evil example before others; "it would therefore be a holy thing, and contri- "bute to the reformation of the church, if prieſts, "of every rank and order, who were public forni- "cators, were obliged to abſtain from celebrating "maſs for a limited time[33]."

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The primate attempted, about this time, to reform another order of men, the barber-ſurgeons, and publiſhed a decree in all the churches in his province, forbidding them to keep their ſhops open on the Lord's day; which, by a ſtrange miſtake, he deſcribed in this manner: "The Lord's "day, viz. the ſeventh day of the week, which "the Lord bleſſed and made holy, and on which

Barbers reformed.

[33] Wilkin, Concil. p. 660—365.

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Perſecution.

But the Lollards were the great objects of the hatred and diſcipline of the church in this period. One John Claydon, a furrier in London, together with certain Engliſh books found in his houſe, was brought before the primate, and ſeveral biſhops and doctors, Auguſt 17, A. D. 1415, by Thomas Fauconer mayor. He was accuſed of being a relapſed heretic; and confeſſed,—that he had been long ſuſpected of Lollardry;—that he had been impriſoned for it two years in Conway caſtle, and three years in the Fleet, near London;—and that he had abjured it before the late primate. To prove that he had relapſed, the Engliſh books found in his houſe were produced by the mayor; particularly one, called *The Lanterne of Light*, which, he ſaid, was the vileſt and moſt perverſe book he had ever ſeen. Three of his ſervants were brought to give evidence, that their maſter uſed to hear people read theſe books to him (as he could not read himſelf); and that he ſeemed to approve of what he heard. The archbiſhop appointed the examiner-general of Canterbury to examine the witneſſes, and certain doctors to examine the books, and then adjourned the court to the 19th of the ſame month. On that day the depoſitions of the witneſſes were produced, bearing, That they had often heard one John Fuller read theſe Engliſh books, particularly the Lanterne

[34] Wilkin. Concil. p. 368.

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of Light to their maſter; and that he ſeemed to be highly delighted with what he heard. The doctors who had examined the books declared, that they were full of hereſies; and that the Lanterne of Light contained no fewer than fifteen. The archbiſhop then condemned the books to be burnt, and pronounced John Claydon a relapſed heretic, and delivered him to the ſecular arm [35]. In conſequence of this ſentence he was conducted to Smithfield, and there committed to the flames.

General proſecution of Lollards.

It would be tedious to relate the trials of all the Lollards during the primacy of archbiſhop Chicheley. By one of his conſtitutions, A. D. 1416, three of the moſt reſpectable inhabitants of every pariſh were ſolemnly ſworn to make diligent inquiry if there were any Lollards, or any ſuſpected of Lollardry, or any who had Engliſh books in their houſes, or had any thing ſingular in their way of living, within their pariſh, and to ſend an account, in writing, to the archdeacon twice every year, of their names, and all other circumſtances [36]. By this conſtitution a ſtrict ſearch after Lollards was ſet on foot, prodigious numbers of them were detected, thrown into priſon, and cruelly haraſſed and perſecuted. But it muſt be confeſſed, that they generally fainted in the fiery trial, and choſe rather to be hypocrites than martyrs.

Execution of Lord Cobham.

Immediately after lord Cobham's eſcape out of the Tower, a proclamation was iſſued, January 11, A. D. 1415, offering a reward of 1000 marks to

35 Wilkin. Concil. p. 371—374. 36 Id. ibid. p. 378.

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any who ſhould apprehend him, 500 marks to any who ſhould give information of the place of his retreat, and exemption from all taxes for ever to the inhabitants of any city, town, or village, who ſhould ſeize him[37]. All theſe tempting offers produced no effect for ſeveral years[38]. But at length he was apprehended, after ſome reſiſtance, by the lord Powis, in December A. D. 1418, and brought to Weſtminſter, where a parliament was then ſitting, by which he was condemned, on his former ſentence, to be ſtrangled and burnt. This ſentence was accordingly executed at Tyburn; and the death of this great man proved a great diſcouragement to the Lollards.

Affairs of little moment.

In the three laſt years of the reign of Henry V. the Engliſh were ſo eagerly engaged in puſhing their conqueſts in France, that their eccleſiaſtical annals conſiſt almoſt entirely of the trials of heretics, and other matters of little moment[39]. It is remarkable with how gentle a hand the prelates of this period touched the article of reformation, for which there was ſo loud a call. In a convocation of the clergy of the province of Canterbury, May 5, A. D. 1421, a decree was made, "That a biſhop's "barber ſhould not demand a fee from thoſe who "received holy orders from the biſhop[40]."

Haughtineſs of the pope.

The great long ſchiſm in the papacy had very much diminiſhed the papal power and pride. The ſeveral contending popes dared not to treat the

[37] Rym. Fœd. tom. 9. p. 89.
[38] Fox, p. 59.
[39] Wilkin. Concil. p. 390—417.
[40] Id. p. 399.

princes

princes and nations in their communion with their uſual inſolence, for fear of a revolt. But that ſchiſm being now nearly healed, and Martin V. in full poſſeſſion of the papal chair, he began to revive the moſt extravagant claims of his haughtieſt predeceſſors, and to talk in the moſt imperious ſtrain to the greateſt princes and prelates. The ſeveral bulls which he directed to the archbiſhop of Canterbury, and to the king and parliament of England, in the years 1426 and 1427, concerning the law called *præmunire*, which prevented the popes from diſpoſing of all the benefices in the kingdom at pleaſure, afford a ſtriking proof of this fact. In theſe bulls he treated the archbiſhop with great aſperity, and gave him the moſt opprobrious names, for ſuffering that deteſtable, execrable, abominable law (as he called it), to ſubſiſt ſo long. He treated the king and parliament very little better; telling them plainly that he was conſtituted by the lord Jeſus Chriſt ſupreme head over them and the univerſal church; giving them broad hints, that if they did not repeal that odious ſtatute, they would all be damned; and promiſing, if they repealed it, to be very good to them, and not oppreſs them very much. The primate, to regain the favour of the pope, went, attended by the other prelates, to the houſe of commons, and, with many tears and prayers, intreated them to conſent to the repeal of the obnoxious act[41]. But the hard- Cent. XV.

[41] Wilkin. Concil. p. 471—487.

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hearted commons remained unmoved by all his tears and prayers.

Croiſade againſt the Bohemians.

The opinions of Wickliffe were not confined to his native country, but were more univerſally adopted in ſome other places, particularly in Bohemia, than in England; which greatly alarmed the court of Rome. The pope, therefore, publiſhed a bull, A. D. 1428, and ſent it into England, as well as into other countries, commanding ſolemn proceſſions to be made, on the firſt Sunday of every month, in all churches and church-yards, in order to draw down the vengeance of Heaven on thoſe heretical Bohemians; and promiſing ſixty days indulgence to all who attended theſe proceſſions, or who ſaid twenty-five *pater noſters*, with the ſame pious intention[42]. His holineſs, not truſting entirely to ſupernatural interpoſition for the deſtruction of the enemies of the church, proclaimed a croiſade againſt the Bohemians, granting the pardon of all their ſins, and the happineſs of heaven, to all who died on that expedition; and a certain quantity of indulgences to all who contributed to its ſucceſs, in proportion to the value of the contribution[43]. Many of the Engliſh engaged in that croiſade, which was conducted by the cardinal of Wincheſter.

Auncil weight prohibited.

The clergy, in their convocations in this period, ſometimes meddled with things that ſeem to have been a little out of their road. In the convention

[42] Wilkin. Concil. p. 492. [43] Id. p. 511.

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of Canterbury, A. D. 1430, it was repreſented, that ſome merchants bought certain goods by the auncil weight, and ſold them by avoirdupois weight, which was lighter. The convocation therefore made a canon, That no perſon ſhould uſe the auncil weight, under the penalty of the greater excommunication [44].

Council of Baſil.

Martin V. was, with great difficulty, prevailed upon, or rather compelled, to call a general council, according to his own promiſe, and a decree of the council of Conſtance; and appointed Julian, cardinal of St. Angelo, to preſide in it in his name. But the pope died, February 20 (before the council met at Baſil, July 19, A. D. 1431), and was ſucceeded by Gabriel Condolmicas, a Venetian, who took the name of Eugenius IV. and confirmed the nomination of cardinal Julian to preſide in the council. In the ſecond ſeſſion, February 15, A. D. 1432, the council decreed,—That a general council, when ſitting, was ſupreme head of the church, to whoſe cenſure all perſons (the pope not excepted) were ſubject;—and that the pope could not diſſolve a general council, without the conſent of the members. The pope, irritated at theſe two decrees, publiſhed a bull of diſſolution; at which the fathers at Baſil were ſo much offended, that they threatened to depoſe him, and elect another pope, if he did not recall his bull [45]. When affairs were in this diſtracted

[44] Wilkin. Concil. p. 516.

[45] Du Pin. cent. 15. ch. 3.

ſtate,

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ſtate, the archbiſhop of Canterbury called a convocation of the prelates and clergy of his province, November 7, A. D. 1433, and propoſed the following queſtions to the repreſentatives of the clergy in the lower houſe: Hath the pope power to diſſolve a general council? Hath the council of Baſil power to depoſe pope Eugenius? If that council depoſe Eugenius, and elect another, will you adhere to him, or to the pope choſen by the council? After requeſting ſome days to deliberate on theſe queſtions, they returned the following anſwers, by their prolocutor Thomas Bikyngton. The pope hath power to diſſolve a general council: The council hath not power to depoſe pope Eugenius: If that council depoſe pope Eugenius, we will ſtill obey him as lawful pope [46]. One thing that engaged the Engliſh clergy to embrace the party of the pope againſt the council was this: in the council of Conſtance, the members deliberated, and voted by nations; and the Engliſh had one entire vote: but in the council of Baſil the members were divided into four deputations, each of which was compoſed of perſons of different nations; and the Engliſh, being few, and divided into the different deputations, were loſt in the crowd, and had little influence in the council. Of this they ſent home grievous complaints; which irritated the Engliſh clergy againſt the council, and made them deſire its diſſolution [47].

[46] Wilkin. Concil. p. 323.

[47] Id. ibid.

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Negotiation with the Bohemians.

The Bohemians having proved victorious in the field over the emperor Sigiſmond, and all the princes and prelates who had engaged againſt them, the council of Baſil entered into a kind of negotiation with them. The Bohemian deputies propoſed certain points of reformation, which if the council granted, they promiſed that they and their countrymen would return to the communion of the church. The archbiſhop of Canterbury, having received intelligence of this negotiation, propoſed this queſtion alſo to his clergy in the ſame convocation: Whether any conceſſions, or what conceſſions, might be made by the council of Baſil to the Bohemians, to bring them back to the communion of the church? To this queſtion the clergy returned this anſwer: That if the Bohemians required, that the communion ſhould be given in both kinds to the laity, that all prieſts and deacons ſhould have authority to preach, that temporal offices ſhould not be enjoyed by the clergy, and that all notorious criminals, without diſtinction, ſhould be puniſhed (which were the four things chiefly inſiſted on by the Bohemians), they ſhould be denied; and, in a word, that no conceſſions whatever ſhould be made to ſuch perverſe heretics [48]. Such determined enemies were the clergy of England, at that time, to all reformation.

Perſecution of the Lollards.

The perſecution of the Lollards was ſtill carried on with unabating violence. William Taylor, a clergyman, was condemned by archbiſhop Chicheley,

[48] Wilkin. Concil. p. 423.

and

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and burnt in Smithfield, A. D. 1423, for maintaining this hereſy (as it was called), "That prayers "for ſpiritual gifts were to be made to God alone; "and that to pray to creatures was idolatry." The unhappy man, in hopes of ſaving his life, admitted, "That an inferior kind of worſhip might be paid "to ſaints; and that their merits and interceſſions "were profitable both to the dead and the living [49]." But that gave no ſatisfaction. Father Abraham of Colcheſter, John White, and John Waddon, prieſts, were alſo committed to the flames, for the ſame crime of Lollardry [50]. Many were condemned to perpetual impriſonment, to ſevere flagellations, and a variety of other puniſhments.

Conteſt between the pope and council.

The conteſt between the pope and the council of Baſil ſtill continued, and became gradually more and more violent. Eugenius publiſhed a bull, tranſlating the council of Baſil to Ferrara, A. D. 1437; and commanded the archbiſhop of Canterbury, and all the clergy of England who had a right to be members of a general council, to attend him at Ferrara. But though the prelates, abbots, and priors, as well as the civil government of England, favoured the pope in this quarrel, the inferior clergy, in convocation, obſtinately refuſing to contribute one farthing to the expences of repreſentatives, it is probable that very few were ſent [51]. The pope deprived and excommunicated all the members of the council of Baſil, which was very numerous, and ſupported by almoſt all the princes

[49] Wilkin. Concil. tom. 3 p. 404—413. Fox, p. 606.
[50] Id. p. 607.
[51] Wilkin. Concil. p. 525, &c.

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of Europe; and that council very ſoon returned the compliment, by ſuſpending the pope from the exerciſe of his office, and excommunicating all the members of his council. At length the council of Baſil depoſed Eugenius, A. D. 1439, and elected Amadeus duke of Savoy (who had reſigned his dominions, and lived in retirement) to be pope; which produced another ſchiſm in the church; and the two popes, as uſual, curſed and excommunicated one another, and their reſpective followers [52]. But as the church of England took very little part in this quarrel, it would be a digreſſion to purſue the hiſtory of it any further.

Death of archbiſhop Chicheley.

Archbiſhop Chicheley died April 12, A. D. 1443, after he had been primate twenty-nine years. He was learned for the age in which he flouriſhed, and an encourager of learning. Martin V. and his own haughty ſuffragan the rich cardinal of Wincheſter, treated him harſhly on ſome occaſions; but, being a prudent man, he had the wiſdom to ſubmit, when he had not the power to ſubdue. He was a cruel perſecutor of the Lollards; but doth not ſeem to have been ſo fond of burning them as his predeceſſor; obſerving, that thoſe ſcenes of horror excited compaſſion for the ſufferers, and indignation againſt their perſecutors [53]. He was ſucceeded in the primacy by John Stafford, biſhop of Bath, a ſon of the earl of Stafford.

Petition of the clergy to parliament.

A violent conteſt had ariſen between the clergy and the common lawyers, about the meaning of a

[52] Du Pin, Cent. XV. ch. 3.

[53] Duch. Vita Chicheley, p. 47, 48. Wilkin. Concil. p. 537.

ſingle

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ſingle word in the famous ſtatute of premunire. In that ſtatute it was enacted, "If any purchaſe, "or purſue, or do to be purchaſed or purſued, in "the court of Rome, or elſewhere, any ſuch "tranſactions, proceſſes, and ſentences of excom-"munication, bulls, inſtruments, or any other "things which touch the king, againſt him, his "regality, or realm," &c. they ſhall incur the penalties in the ſtatute. By the court of Rome, or *elſewhere*, the clergy underſtood the court of Rome, whether it was at Rome or any other place; but the common lawyers underſtood the court of Rome, or any other court; and when any ſpiritual court in England preſumed to judge any cauſe that did not ſtrictly belong to them, the courts at Weſtminſter not only granted prohibitions, but puniſhed the ſpiritual judges, as in a premunire [54]. The two archbiſhops, with all their ſuffragans and clergy, preſented a petition to parliament, A. D. 1447, earneſtly entreating an explanation of the word *elſewhere*, in the ſtatute of the 16th Richard II. agreeable to their views. In this petition they complain bitterly of the preſumption of the courts at Weſtminſter, in pretending to be the ſole interpreters of acts of parliament, affirming that the ſpiritual courts had as good a right to, and were much better qualified for that office [55]. But the parliament paid no regard to their petition.

The pope ſends a roſe to the king.

The popes in this period conſidered all the clergy in the Chriſtian world as their immediate ſubjects,

[54] See Ruffhead's Statutes, vol. 1. p. 406

[55] Wilkin. Concil. p. 555.

on

on whom they might impoſe what taxes they pleaſed. But though the clergy had a great veneration for the pope, many of them had a greater veneration for their money; which obliged the court of Rome to call upon kings and princes to compel theſe refractory eccleſiaſtics to pay their taxes. Pope Eugenius having impoſed a tax of one tenth of their benefices on all the clergy of England, and ſuſpecting that they would not be very fond of paying it, he ſent, by his collector, a conſecrated roſe of gold, with a bull, to Henry VI. In this bull his holineſs magnified the honour he had done to the king, by ſending him ſo precious a preſent, and explained the myſterious meanings of the roſe: nor did he forget to exhort him to uſe all the authority he had over the clergy, to make them pay the tax pleaſantly, which (he ſaid) would be a great advantage to him and his ſubjects. The roſe was received with great ceremony; and the primate, who was alſo chancellor, made a long and eloquent ſpeech to the pope's collector, on the beauties and virtues of the roſe: but on the tax he was rather dry, telling him only, that the king would ſend ſome perſons to converſe with his holineſs on that ſubject, and forbidding him to collect any money in England till they returned [56]. Cent. XV.

The foreign and domeſtic diſorders and calamities in which the Engliſh were involved at this time, render their eccleſiaſtical hiſtory as barren and unimportant as their civil hiſtory is copious Succeſſion of primates.

[56] Wilkin. Conc. p. 548.

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and intereſting. Archbiſhop Stafford died, A. D. 1452, and was ſucceeded by John Kemp, archbiſhop of York, and cardinal of St. Balbina, who enjoyed the primacy only about eighteen months; and on his death, Thomas Bourchier, biſhop of Ely, and brother to the earl of Eſſex, was advanced to that high ſtation [57].

Trial of biſhop Pocoke.

Reginald Pocoke, biſhop of Chicheſter, had been patroniſed and promoted by Humphrey, the good duke of Glouceſter; but after the death of that prince the clergy became clamorous againſt him, accuſing him of many hereſies. At length archbiſhop Bourchier commanded both the biſhop and his accuſers to appear before him, by a citation, dated at Lambeth, October 22, A. D. 1457 [58]. The biſhop was examined ſeveral times by the primate, aſſiſted by other prelates and doctors, and was at laſt prevailed upon, by threats and promiſes, to recant. The accounts we have of the trials and tenets of biſhop Pocoke are confuſed and contradictory; but the opinions he acknowledged he had held, and which he recanted were theſe following: "We are not bound, by the neceſſity "of faith, to believe that our Lord Jeſus Chriſt, "after his death, deſcended into hell.—It is not "neceſſary to ſalvation, to believe in the holy "catholic church.—It is not neceſſary to ſalva"tion, to believe the communion of ſaints.—It "is not neceſſary to ſalvation, to affirm the body "of Chriſt is materially in the ſacrament.—The "univerſal church may err in matters which per-

[57] Antiq. Britan. p. 298.

[58] Fox, p. 651.

"tain

" tain unto faith.—It is not neceſſary unto ſalva- Cent. XV.
" tion, to believe that that which every general
" council doth univerſally ordain, approve, and
" determine, ſhould neceſſarily, for the help of
" our faith and the ſalvation of our ſouls, be ap-
" proved and holden of all faithful Chriſtians [59]."
For having maintained theſe opinions, though he now renounced them, this prelate was deprived of his ſee, and doomed to ſpend the reſt of his days in retirement if not in priſon.

Croiſade againſt the Turks.

The taking of Conſtantinople, the capital of the eaſtern empire, May 29, A. D. 1452, by Mahomet II. emperor of the Turks, alarmed all the Chriſtian princes and ſtates of Europe. But theſe princes and ſtates were ſo much engaged in war, that they could not be brought to unite againſt the common enemy; and the clergy were left to fight with their ſpiritual weapons againſt thoſe adverſaries of the Chriſtian faith. Archbiſhop Kemp publiſhed, March 2, A. D. 1453, an order for proceſſions to be made for a whole year; and in this he was imitated by his ſucceſſor [60]. For in thoſe times proceſſions were believed to be the moſt effectual means of procuring the divine favour and aſſiſtance. At length pope Pius II. (formerly Æneas Silvius) publiſhed a long, eloquent, and pathetic bull, A. D. 1463, engaging to march in perſon at the head of a Chriſtian army, againſt the Turks, and moſt earneſtly exhorting all Chriſtians to take the croſs, or to contribute by their money to the ſucceſs of the expedition;

[59] Fox, p. 561. [60] Id. ibid. Wilkin. Concil. p. 563. 572.

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promiſing the pardon of ſin, and the happineſs of heaven to all who complied with his deſire [61]. At the ſame time the pope ſent bulls into every Chriſtian country, impoſing a tax of one tenth on the benefices of all the clergy. Edward IV. who then reigned in England, not willing to acknowledge the pope's right to tax his clergy, and yet deſirous that they ſhould contribute liberally on this occaſion, wrote to the primate, to raiſe a handſome ſum by a voluntary aſſeſſment, which would ſatisfy the pope, and prevent the publication of his bull. This method was purſued: but ſo little were the clergy diſpoſed to part with their money, that it was with much difficulty the primate prevailed upon them to grant ſixpence in the pound [62].

Charter of Edward IV.

Edward IV. ſoon after his acceſſion, being earneſtly deſirous of the ſupport of the clergy, made a moſt unwarrantable ſtretch of his prerogative in their favour, by granting them a charter, which rendered them almoſt entirely independent of the civil government, and left them at liberty to do what they pleaſed. By that charter he took upon him to diſpenſe with the famous ſtatute of præmunire, which no entreaty could ever perſuade the parliament to repeal; and he diſcharged all civil judges and magiſtrates to take any notice of any treaſons, murders, rapes, robberies, thefts, or any other crimes committed by archbiſhops, biſhops, prieſts, deacons, or any perſon in holy orders.

[61] Wilkin. Concil. p. 587—593.

[62] Id. p. 554, &c.

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Nay, if any perſon apprehended for a crime pretended that he was in orders, though no ſuch thing had ever been heard of, the civil magiſtrate was commanded to deliver him to the biſhop, or his official, to determine whether he was in orders or not; which opened a door for the moſt groſs abuſes [63]. So ſhameleſs were the claims of the clergy in thoſe times, and ſo extravagant were the conceſſions of princes in their favour, when they ſtood in need of their aſſiſtance!

Profligacy of the clergy.

Many of the clergy (if we may believe archbiſhop Bourchier) made a very bad uſe of this exemption from civil authority. That prelate, in a commiſſion he granted to his commiſſary-general to attempt ſome reformation, ſays, that many of the clergy, both ſecular and regular, were ignorant illiterate blockheads, or rather idiots; and that they were as profligate as they were ignorant, neglecting their cures, ſtrolling about the country with bad women in their company, ſpending the revenues of their benefices in feaſting and drinking, in fornication and adultery [64].

One burnt for hereſy.

The long and cruel perſecution which the Lollards had endured, ſeems either to have diminiſhed their number, or ſhaken their conſtancy, or perhaps both; for we only hear of one perſon who was burnt for hereſy in the reign of Edward IV. when the church was moſt vigorouſly ſupported by the ſecular arm [65].

[63] Wilkin. Concil. p. 583.
[64] Id. p. 573.
[65] Fox, p. 659.

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Diſpute between the ſecular and regular.

A violent diſpute was carried on, in the reign of Edward IV. between the ſecular clergy and the begging friars. Theſe laſt maintained that Jeſus Chriſt had been a beggar, and that they, on that account, were his greateſt favourites, and intitled to the peculiar regard and bounty of the faithful. The ſeculars, perceiving the deſign and tendency of that doctrine, declaimed and wrote againſt it with great vehemence, as falſe and impious. At laſt pope Calixtus II. publiſhed a bull againſt the mendicants, A. D. 1475, declaring their doctrine to be heretical [66].

Convocation of York.

Though the convocations of the province of York generally adopted or imitated the conſtitutions of thoſe of Canterbury, yet they ſometimes made conſtitutions of their own that were ſingular and curious, of which it may be proper to give one example. In the convocation of the province of York, held by archbiſhop Nevile, A. D. 1466, ſeveral remarkable canons were made. By the firſt canon every pariſh prieſt is commanded to preach four times in the year to his people, either himſelf or by another, and explain to them in Engliſh, without any fantaſtical ſubtilties,—the fourteen articles of faith—the ten precepts of the decalogue—the two precepts of the goſpel—the ſeven works of mercy—the ſeven mortal ſins—the ſeven principal virtues—and the ſeven ſacraments of grace. To enable the clergy to perform this taſk, the convocation ſubjoined an explanation of each of theſe particulars, which forms a

[66] Fox, p. 659. Fuller, p. 132.

ſyſtem

ſyſtem of the Catholic theology of the fifteenth century, not a little curious, but far too long to be here inſerted. In the explanation of the ten precepts of the decalogue, the firſt commandment is ſaid to be a prohibition of all enchantments, ſuperſtitious characters, and ſuch figments; the ſecond is entirely omitted; and to keep up the number, the tenth is divided into two. This was uſing no little freedom with a ſyſtem of laws which they acknowledged to be divine. So perfectly pure were the members of this convocation, that they would not give any explanation of luxury (one of the ſeven mortal ſins), for fear of corrupting the air. But they are ſtill more diſtinguiſhed for the prodigious deſire they diſcover to preſerve the poor laity from being damned for not paying their tythes punctually and fully to the church; and that they might not be guilty of any omiſſion in a matter ſo eſſential to ſalvation, they give them a moſt complete catalogue of tithable ſubjects[67]. The canons made by that convocation contain ſeveral other remarkable particulars. Cent. XV.

The minds of men were ſo much engaged and agitated by the ſudden and ſurpriſing revolutions that took place in the ſhort reigns of Edward V. and Richard III. that they ſeem to have paid little attention to eccleſiaſtical affairs. The clergy of both provinces in convocation, preſented a ſupplication to Richard, complaining, that the clergy "were cruelly, grievouſly, and daylye troubled, "vexed, indighted, and arreſted, by malicious Petition of the clergy.

[67] Vide Wilkin. Concil. p. 599—605.

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" and evil-diſpoſed parſons. In eſchuying of which, " ſay they, ſeeing your moſt noble and bleſſed " diſpoſition in all other things, we beſeech you " to take tender reſpect and conſideration unto " the premiſes, and of yourſelf, as a moſt catholic " prince, to ſee ſuch remedies, that under your " moſt gracious letters patents, the liberties of " Chriſt's church and yours may be confirmed, " and ſufficiently auctoriſed by your high court of " parliament, rather enlarged than dyminiſhed [68]." Whether the clergy on this occaſion uſed the language of truth or flattery, when they praiſed Richard for his moſt noble and bleſſed diſpoſitions in all things, may be doubted; but it was a language very agreeable to the royal ear: and they obtained letters patents, February 23, A. D. 1484, confirming thoſe of Edward IV. and emancipating them from the juriſdiction of the king's courts [69].

General obſervations.

Though Wickliffe and his followers detected many of the errors, and expoſed many of the ſuperſtitious practices of the church in this period, the clergy obſtinately refuſed to abandon any of thoſe errors, or relinquiſh any of thoſe ſuperſtitions, and perſecuted with unrelenting cruelty all who attempted the ſmalleſt reformation. The declamations of the Lollards againſt the exceſſive power and riches, and ſcandalous lives, of prieſts, inflamed their rage againſt them, and made them reject all their other opinions, without much examination; and the laity, in general, were ſtill too ignorant, or too indifferent, to form opinions for themſelves on

[68] Wilkin. Concil. tom. 3. p. 614. [69] Id. ibid. p. 616.

ſubjects

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ſubjects of that kind. So great was the oppoſition to every thing that had the appearance of reformation, that errors and ſuperſtitious rites were multiplied rather than diminiſhed. Tranſubſtantiation was now fully eſtabliſhed, and made an eſſential article in the creed of every member of the church. The cup was taken from the laity, but with great caution and by ſlow degrees. The clergy were firſt commanded to be at great pains to inſtruct the people, "that both the body and "blood of the Lord were given at once, under the "ſpecies of bread, nay, the entire, living, and true "Chriſt; that the wine in the cup was not the "ſacrament, but mere wine, given them (it was "then given them) to make them ſwallow the "bread more eaſily." The clergy are then directed "to begin to with-hold the cup in ſmall "obſcure churches, and to exhort the people to "ſwallow the bread without chewing, that none "of it might ſtick in their teeth [70]." The churches were crowded with images of the Virgin Mary, and other ſaints, to which much greater homage was paid than to the Supreme Being. Several Engliſh ſaints, as St. Oſmund the biſhop, the two virgins, St. Fridiſwida and St. Ethelrida, were canonized in this period, and feſtivals inſtituted to their honour [71]. The feſtivals of other ſaints, as of St. George, St. Edward the Confeſſor, the Viſitation of the Virgin Mary, were made double feſtivals, and many additional ceremonies appointed to be obſerved. Great ſtreſs was now

[70] Wilkin. Concil. p. 662, 663.

[71] Id. p. 613.

laid

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laid on pilgrimages, proceſſions, indulgences, confeſſions to prieſts, and their pardons; and the people ſeem to have had a good deal to confeſs, and to have ſtood much in need of pardon. George Nevile, archbiſhop of York, enumerates no fewer than thirty-ſeven kinds of ſin, which none but the pope or a biſhop could pardon. The firſt and greateſt of theſe ſins was hereſy; the ſecond was *crimen contra naturam, maxime cum brutis*; the thirty-ſeventh, and leaſt in the eſtimation of the church, was raiſing a ſedition which endangered a ſtate or city [72]. In a word, ignorance, vice, and ſuperſtition, ſeemed to have gained ground in England in the courſe of this period, though the revival of learning, and the reformation of religion, were at no great diſtance.

Church hiſtory of Scotland imperfect.

The church-hiſtory of Scotland is as imperfectly preſerved in this as in the former period. There is ſufficient evidence that, beſides dioceſan ſynods, general ſynods or aſſemblies were frequently, if not annually, celebrated [73]. But their records were either deſtroyed at the Reformation, with the libraries in which they had been depoſited, or were carried away into foreign countries. We have the leſs reaſon to regret the loſs of theſe records, that the canons of all the national churches in thoſe times were nearly the ſame, having been either copied from one another, or dictated by the court of Rome. Before the eſtabliſhment of archbiſhops

[72] Wilkin. Concil. p. 613.

[73] A. D. 1420. *Congregata fuit, apud Perth, in eccleſia fratrum prædicatorum, ſynodus provincialis et conſilium generale cleri regni Scoti, prout moris eſt.* Wilkin. Concil. tom. 3. p. 397.

and

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and a primate in Scotland, one of the biſhops was choſen *conſervator privilegiorum*, and preſided in theſe general aſſemblies of the clergy [74].

Biſhops of St. Andrew's.

Though the biſhops of St. Andrew's had no direct authority over the other biſhops till toward the end of this period, they had a kind of tacit pre-eminence, and were conſidered as the firſt biſhops of Scotland, on account of the antiquity and opulence of their ſee. That excellent prelate biſhop Trail having died A. D. 1401, Thomas Stewart, archdeacon of St. Andrew's, nearly related to the royal family, was elected in his room; but being a man of a recluſe unambitious diſpoſition, declined accepting the office; and the chapter refuſing to make a new election while he lived, the king retained the temporalities till his death, A. D. 1404. Gilbert Grienlaw, biſhop of Aberdeen, was then elected; but Henry Wardlaw, precentor of Glaſgow, being at the court of Benedict XIII. one of the contending popes, obtained the vacant ſee by a papal proviſion [75].

John Riſby burnt.

Wickliffe's followers being cruelly perſecuted in England, ſeveral of them fled into foreign countries, in hopes of ſaving their lives without wounding their conſciences. One of them, John Riſby, a preacher, fled into Scotland, where he met with the hard fate he endeavoured to avoid, and was burnt for hereſy A. D. 1407 [76].

Aſſembly at Perth.

The kingdom and church of Scotland adhered longer to Benedict XIII. than any other church or

[74] Wilkin. Concil. tom. 3. p. 397.
[75] Spotiſwoode, p. 56.
[76] Id. ibid.

nation.

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[77] Fordun Scoticron. edit. Hearn. vol. 4. p. 1186, &c.

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Another general aſſembly at Perth.

We have ſome remains of a general aſſembly or convocation of the clergy of Scotland, that met at Perth, July 16, A. D. 1420. It conſiſted of ſix biſhops, and the procurators of four that were abſent; five abbots, and the procurators of eight who were abſent; a good many deans, archdeacons, friars, and the greateſt part of the clergy (ſays the record) who uſed to come to general aſſemblies. William biſhop of Dumblane, being choſen conſervator of privileges, preſided in that aſſembly; the chief deſign of which ſeems to have been, to inveſtigate the cuſtoms that had been obſerved in former times by the ſeveral biſhops courts in the confirmation of teſtaments, and to aſcertain the fees of theſe courts. This was done by the declarations, upon oath, of ſome of the oldeſt clergymen in each dioceſs; and from theſe declarations it appeared, that the cuſtoms that had been immemorially and univerſally uſed were theſe: 1. That the ordinaries in every dioceſs had been accuſtomed, time out of mind, to confirm teſtaments, and to appoint executors to thoſe who died inteſtate: 2. To ſequeſtrate the goods of the defunct, till their teſtaments were produced and confirmed: 3. To oblige the executors both of the teſtate and inteſtate to take an oath *de fideli*: 4. To oblige them to give an account of their adminiſtration. The fees of court appear to have been very moderate. Theſe cuſtoms were then formed into a canon or law, to which all the members affixed their ſeals, and the whole tranſaction was atteſted by two notaries [78].

[78] Wilkin. Concil. p. 397.

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Councils.

The clergy of Scotland did not concern themſelves much with the councils of Conſtance and Baſil. During the ſitting of the firſt, they were in the obedience of Benedict XIII.; and after they acknowledged Martin V. they continued in the obedience of him and his ſucceſſor Eugenius IV. though depoſed by the council of Baſil. A Scots abbot, whoſe name is not mentioned, diſtinguiſhed himſelf very much in the debates of that council [79].

Biſhop Kennedy.

When James Kennedy, biſhop of Dunkeld, attended pope Eugenius and his council at Florence, A.D. 1444, he was elected to ſucceed Henry Wardlaw in the ſee of St. Andrew's. Biſhop Kennedy was nearly related to the king; and, happily for his country, had great influence in all the affairs both of church and ſtate; as he was one of the wiſeſt ſtateſmen, and beſt prelates, that Scotland ever produced. By his example and authority, he made as great a reformation in the church, and the manners of the clergy, as it was poſſible to make, while the pernicous power, abſurd doctrines, and ſuperſtitious rites, of the church of Rome remained [80].

Convocation at Edinburgh.

A kind of convocation of the clergy, or rather a deputation of the clergy and parliament, conſiſting of thirty-ſix perſons, met in the manſe of the vicar of Edinburgh, June 28, A. D. 1445. John biſhop of Brechin was then conſervator of the privileges of the church of Scotland, and preſided in that meeting; but John Sives, canon of

[79] Du Pin, Cent. XV. ch. 3. [80] Spottiſwoode, p. 57.

Glaſgow

Glaſgow and Aberdeen, and official general of St. Andrew's, (was for what reaſon I know not) joined with him as an aſſeſſor. John Wincheſter biſhop of Moray, as procurator for all the clergy, preſented two papal bulls, one of Gregory VII. the other of Martin V. and requeſted that ſeveral authentic copies of theſe bulls might be made; that if the originals ſhould be loſt, theſe copies might bear equal faith. This was done with great formality, and each of the copies atteſted to be faithful, by all the members of the court, and by three notaries. A cuſtom had prevailed in Scotland, that when the king's officers took poſſeſſion of the temporalities of a vacant ſee, they ſeized alſo all the goods or perſonal eſtate of the deceaſed biſhop. The bull of Gregory VII. prohibited this practice for the future, and declared all who ſhould thereafter be concerned in it excommunicated, the king himſelf not excepted. The king had complained to Martin V. that Finlaw biſhop of Argyle had joined in a rebellion againſt him; and when that rebellion was cruſhed, had fled into a foreign country, and left his dioceſs deſtitute of a ſpiritual father; and that pope, by his bull, granted a commiſſion to the biſhops of St. Andrew's and Dumblane, to examine into the facts in this cauſe, and report to him, who alone, by the divine appointment, had the government of all the clergy in the world, that he might do juſtice [81]. So great was the authority of the popes, and ſo

Cent. XV.

[81] Wilkin. Concil. tom. 3. p. 344, &c.

little

Cent. XV.

little the power of kings over the clergy in thoſe times.

Convocation at Perth.

King James II. ſent ſir Patrick Grahame and Mr. Archibald Whitelaw to a convocation of the clergy at Perth, July 19, A. D. 1459, to demand a declaration from them, "That the king, by ancient cuſtom, had a right to preſent to all the livings in the gift of any biſhop, that became vacant during the vacancy of the ſee, and while the temporalities were in the king's hands." The convocation, after examining ſeveral of the clergy upon oath, granted a declaration, conformable to the king's deſire, ſubſcribed by Thomas Spence, biſhop of Aberdeen, conſervator; Donald Rede, clerk to the convocation or aſſembly; and John Petrie, notary-public [82].

St. Andrew's made an archbiſhopric.

That excellent prelate biſhop Kennedy died at St. Andrew's A. D. 1466, and was ſucceeded by a near relation of his own, Patrick Grahame, biſhop of Brechin. This prelate being obnoxious to the Boydes, who were then the king's favourites, had many difficulties to encounter. To avoid the effects of their diſpleaſure, and to obtain the confirmation of his election, he went to the papal court, where he reſided ſeveral years, not daring to return while his enemies were in power. Being an ingenious and learned man, he ingratiated himſelf ſo far into the favour of pope Sixtus IV. that he erected the ſee of St Andrew's into an archbiſhopric, and conſtituted archbiſhop Grahame,

[82] Wilkin. Concil. tom. 3. p. 576.

and

and his ſucceſſors, primates of all Scotland, A. D. 1472[83]. The new archbiſhop was alſo appointed the pope's legate; and having received intelligence of the fall of his enemies the Boydes, he returned into Scotland, expecting to meet with a favourable reception from his ſovereign and his countrymen. But in this he was diſappointed. The new honours with which he was adorned having raiſed the envy of the other prelates, and the new powers with which he was inveſted as papal legate having excited the fears of many, he found himſelf ſurrounded with enemies. By theſe he was accuſed of having left the kingdom without a royal licence, of having accepted of the office of papal legate without the king's permiſſion, and of various other delinquencies; for which he was committed to priſon, were he died. A. D. 1478[84]. So unfortunate was the firſt primate of the church of Scotland; and ſeveral of his ſucceſſors were ſtill more unhappy.

Cent. XV.

Archbiſhop Grahame was ſucceeded by William Shevez, who had been one of his moſt violent enemies. Shevez, on his return from the univerſity of Louvain, where he had ſtudied under one Spiricus, a famous aſtrologer of thoſe times, boaſted of ſuperior ſkill in that ſcience; which procured him a preſentation to the archdeaconry of St. Andrew's, from James III. who was a great admirer of aſtrology and aſtrologers. But the new primate, who had a ſovereign contempt for both, refuſed to admit Shevez to that office; who was thereby ſo much

Shevez archbiſhop.

[83] Buchanan, lib. 12 p. 226.

[84] Id. ibid.

Cent. XV. much enraged, that he joined with one Locky, rector of the univerſity of St. Andrew's and the other enemies of the archbiſhop, and never ceaſed to perſecute him till he lodged him in a priſon, and was appointed his coadjutor and ſucceſſor [55].

[55] Spottiſwoode, p. 59.

THE HISTORY OF GREAT BRITAIN.

BOOK V.

CHAP. III.

History of the Conſtitution, Government, and Laws, of Great Britain, from the acceſſion of Henry IV. A. D. 1399, *to the acceſſion of Henry* VII. A. D. 1485.

Conſtitution not much changed.

THE kings and people of both the Britiſh kingdoms were ſo much engaged in war in the period we are now examining, that they paid leſs attention to the improvement of the conſtitution, government, and laws of their country, than they probably would have done if they had enjoyed more tranquillity. The changes, therefore, in theſe particulars, that took place in this period, and are of ſuch importance as to merit admiſſion,

into general hiſtory, are not very many, and may be comprehended within a narrow compaſs without omitting any thing material. For the ſame reaſon, it will be ſufficient to divide this chapter into two ſections; the firſt containing the conſtitutional hiſtory of England, and the ſecond that of Scotland.

SECTION I.

Hiſtory of the Conſtitution, Government, and Laws, of England, from A. D. 1399 *to* A. D. 1485.

Slavery.

SOME progreſs ſeems to have been made, in the courſe of this period, towards a very happy change in the condition of the loweſt order of men in ſociety, by the decline of ſervitude, and diminution of the number of ſlaves; though ſlavery was ſtill too common, and ſlaves too numerous. Some examples occur, of men, particularly priſoners of war, being bought and ſold like cattle; and all that can be ſaid is, that theſe examples are not ſo frequent as in former times[a]. Predial ſlaves commonly called *villains*, were ſtill very numerous. Theſe unhappy men, with their families, were annexed to the lands on which they dwelt, and transferred with them from one proprietor to another. Their ſons could not enter into holy orders without the conſent of the owner

[a] Hall, f. 35.

of

of the eſtate to which they were annexed [2]. They could not proſecute their lordly maſters in a court of law, which muſt have ſubjected them to many injuries [3]; and, in a word, they had nothing that they could call their own. When ſheriffs attempted (as they ſometimes did) to levy a tax on the villains of lords and prelates, for paying a part of the wages of the knights in parliament, a writ iſſued from chancery, prohibiting them to levy ſuch a tax, "becauſe all the goods in the poſſeſſion of villains were the property of their lords, "who attended parliament [4]."

Diminiſhed.

But there is ſufficient evidence, that the number, not only of domeſtic, but even of predial ſlaves, ſenſibly decreaſed in the courſe of this period; and that few of them were to be found, except on the demeſnes of prelates and great lords. Other proprietors of eſtates choſe rather to have their lands cultivated by labourers, who were free men; and, at the requeſt of the commons in parliament, many laws were made, for increaſing the number, and regulating the wages, of ſuch labourers [5]. By one of theſe laws, no man who had not an eſtate worth twenty ſhillings a-year, equivalent to ten pounds at preſent, was permitted to put his ſon to any other employment, but was obliged to bring him up to huſbandry work; and if any perſon applied to ſuch work till he was twelve years

[2] Rym. Fœd. tom. 9. p. 69; tom. 11. p. 56.

[3] Id. tom. 12. p. 259.

[4] Prynne's Kalendar of Parliamentary Writs, vol. 4. p. 432.

[5] Statutes, vol. 1. p. 612.

of age he was not permitted to abandon it, and follow any other line of life[6].

Cauſes. Various cauſes contributed to the decline of villanage in England. The proprietors of land by degrees diſcovered, that ſlaves, who laboured not for themſelves, but for their maſters, were often indolent or refractory; and that they got their work performed to better purpoſe, and even at leſs expence, by hired ſervants. But the almoſt inceſſant wars in which the Engliſh were engaged in this period, contributed more than any thing to the decline of ſlavery, by obliging prelates, lords, and great men, to put arms into the hands of their villains. There is hardly any evil that doth not produce ſome good.

Viſcounts. A new order of nobles was inſtituted by Henry VI. A. D. 1440. They were ſtyled *viſcounts*, and placed between earls and barons below the former, and above the latter. John lord Beaumont, the firſt nobleman of this order, was created viſcount Beaumont, in full parliament, at Reading, February 12 that year[7].

Parliament. As the parliament hath long been the great fountain of law, and ſupreme court of judicature, the guardian of the juſt prerogatives of the crown and the legal liberties of the people, it merits particular attention in every period. That this auguſt court hath undergone various changes in its con-

[6] Statutes, vol. 1. p. 470.

[7] Selden's Titles of honour, p. 680. Dugdale's Baronage, vol. 2. p. 54. My authorities have perhaps miſtaken the date of this creation a few years.

ſtitution,

ſtitution, hath been already proved; and ſeveral of theſe changes, with their cauſes and effects, have been briefly deſcribed, in their proper places, in the former volumes of this work[8]. The deſcription that hath been already given of the conſtituent members of both houſes of parliament in the reign of Richard II. will give our readers a ſufficient idea of theſe houſes, as they were conſtituted in the beginning of this period; and therefore, to prevent repetitions, they are referred to that deſcription[9].

Election-laws.

As ſoon as the ſmaller freeholders, who were not ſummoned by particular writs, were excuſed from appearing perſonally in parliament, and permitted to appear by repreſentatives, the elections of theſe repreſentatives, their wages and their privileges, became the ſubjects of various laws and political regulations, which had a great influence on the conſtitution of the houſe of commons.

Electors.

At firſt, and from A. D. 1269 to A. D. 1429, all freeholders, without exception, had votes in electing the knights of the ſhires in which they reſided and had their freeholds. In ſome counties the ſmall freeholders were very numerous, and many of them very indigent, which produced various inconveniencies, and ſometimes rendered the elections of the repreſentatives of theſe counties ſcenes of riot, violence, and ſlaughter. To remedy

[8] See vol. 3. p. 363—376; vol. 6. p. 28—32; vol. 8. book 4. ch. 3. § 1—5.

[9] See vol. 8. book 4 ch. 3. § 5.

theſe evils, a law was made, 8th Henry VI. A. D. 1429, "That the knights of the ſhires ſhall be "choſen in every county by people dwelling and "reſident in the ſame counties, whereof every "one of them ſhall have free land or tenement to "the value of forty ſhillings by the year at leaſt, "above all deductions [10]." The letter, but not the ſpirit, of this law, hath been ever ſince obſerved; for forty ſhillings a-year, A. D. 1429, was equivalent to 20l. a-year, A. D. 1784. The repreſentatives of cities and burghs were choſen only by thoſe who actually reſided in the cities and boroughs which they repreſented; but whether by the citizens and burgeſſes at large, or by the corporations, is not very clear [11]. The cuſtom, it is probable, was different in different places; and cuſtom by long continuance became law. That theſe laws might be more ſtrictly obſerved, they were inſerted *verbatim* in the writs to ſheriffs, for ſome years after they were made [12].

Elected. The king, in his writs to the ſheriffs, deſcribed the qualifications of the perſons who were to be elected to repreſent counties, cities, and boroughs. The freeholders in each county were directed to chuſe "two of the fitteſt and moſt diſcreet knights "reſident in the county [13];" but becauſe actual knights reſiding and properly qualified ſometimes could not be found, an act was made, 23d Hen-

[10] Statutes, 8th Hen. VI. c. 7.; 10th Hen. VI. c. 2.
[11] 1ſt Hen. V. c. 1. [12] Prynne's Survey of Parliamentary Writs, vol. 2. p. 134, &c. [13] Id. ibid.

ry VI. A. D. 1444, permitting freeholders to chuſe "notable eſquires, gentlemen by birth, and "qualified to be made knights; but no yeo-"man, or perſon of an inferior rank [14]." This article of that act was inſerted in the ſubſequent writs for ſome years, that it might be univerſally known and obſerved [15]. Thoſe gentlemen who had freehold-eſtates of 40l. a year, equivalent to 400l. at preſent, were qualified to be made knights, which was therefore the qualification in point of fortune for the repreſentative of a county [16]. By the ſame writs, the electors in cities and boroughs were directed to chuſe the fitteſt and moſt diſcreet perſons, freemen of, and reſiding in, the places for which they were choſen, and no others upon any pretence [17]. The parliamentary writs in this period directed electors in counties, cities, and boroughs, to chuſe, not only the wiſeſt, but the ſtouteſt men (*potentiores ad laborandum*), that they might be able to endure the fatigue of the journey, and of cloſe attendance; it being one great object of the legiſlature, at this time, to ſecure the conſtant attendance of all the members of the houſe of commons [18]. Sheriffs could not be elected; and Henry IV. in the fifth year of his reign, inſerted an uncommon clauſe in his writs, prohibiting all apprentices, or other men of law, to be

[14] Stat. 23d Hen. VI. c. 14.
[15] Prynne, Survey of Parliamentary Writs, vol. 2. p. 135.
[16] Rym. Fœd. tom. 8. p. 656. [17] 1ſt Hen. V. ch. 1.
[18] Prynne, *paſſim*.

elected,

elected [19]. But this was a violent ſtretch of prerogative; and though it was obeyed, it was not repeated.

Number of burgeſſes uncertain.

The number of boroughs that ſent members to parliament in this period was very unſettled, and ſeems to have depended very much on the pleaſure of the ſheriffs of the ſeveral counties. There is the cleareſt evidence, that the ſheriffs of the ſame county ſent precepts to, and made returns from, ſometimes more and ſometimes fewer boroughs, without aſſigning any reaſon for their conduct; that ſome boroughs to which precepts were ſent never elected or returned any members, and ſome only once, twice, or a few times; that ſheriffs, in their returns, ſometimes reported, that certain boroughs to which they had directed precepts, had made no returns, and no excuſes for their diſobedience; and others had excuſed themſelves by pleading poverty [20]. Theſe and ſeveral other irregularities that might be mentioned, afford ſufficient evidence, that the conſtitution of the houſe of commons was yet far from perfection; and, in particular, that the number of its members was not aſcertained.

Irregularities in elections.

Several laws were made in this period for regulating the manner of proceeding in the election of members to the houſe of commons, and for preventing falſe returns; for which the reader muſt be referred to the ſtatute-book, as they are too vo-

[19] Prynne, vol. 2. p. 123. Walſing. p. 371.

[20] Prynne's Brevia Parliamentaria Rediviva, vol. 3. § 7. p. 223.

luminous

luminous to be here inſerted [21]. But notwithſtanding all theſe laws, ſome ſurpriſing irregularities were practiſed in elections, of which it will be ſufficient to give a few examples. The knights for the large, rich, and populous county of York were choſen, 13th Henry IV. A. D. 1411, and 2d Henry V. A. D. 1414, not by the freeholders, but by the attornies of a few lords and ladies who had great eſtates in that county; and this irregular practice continued to A. D. 1447, when the freeholders reſumed their violated rights [22]. Many of the knights, citizens, and burgeſſes in the parliament that met at Coventry, 38th Henry VI. A. D. 1460, had not ſo much as the ſhadow of an election, but were named by the king, in letters under the privy ſeal, and returned by the ſheriffs, who obtained an act of indemnity for that outrageous breach of their truſt [23]. But that aſſembly at Coventry was rather a meeting of the heads of a party in the time of a bloody civil war, than a parliament; and all its acts were reſcinded the very next year [24].

The ſheriffs, in this period were guilty of many great abuſes in conducting elections and making their returns. This appears from various monuments, and particularly from the following preamble to an act of parliament, 23d Henry VI. Abuſes of ſheriffs.

[21] See 7th Hen. IV. c. 15. 8th Hen. V. c. 1. 6th Henry VI. c. 4. 8th Hen. VI. c. 7. 10th Hen. VI. c. 2. 23d Hen. VI. c. 15.
[22] Prynne, Brevia Parliamentaria Rediviva, v. 3. p. 152—154.
[23] Parl. Hiſt. v. 2. p. 288—292. Prynne, vol. 2. p. 141.
[24] 39th Hen. VI.

A. D.

A. D. 1444.—"Diverſe ſheriffs of the counties of "the realm of England, for their ſingular avail "and lucre, have not made due elections of the "knights, nor in convenient time, nor good men "and true returned, and ſometimes no return of "the knights, citizens, and burgeſſes, lawfully cho-"ſen to come to the parliament; but ſuch knights, "citizens, and burgeſſes, have been returned which "were never duly choſen, and other citizens and "burgeſſes than thoſe which, by the mayors and "bailiffs, were to the ſaid ſheriffs returned. And "ſometimes the ſheriffs have not returned the "writs which they had to make, of elections of "knights to come to the parliaments; but the "ſaid writs have imbiſiled; and moreover made no "precept to the mayor and bailiff, or to the "bailiff or bailiffs, where no mayor is, of cities "and boroughs, for the election of citizens and "burgeſſes to come to the parliament [25]."

Redreſs for a falſe return.

A candidate who thought himſelf injured by a falſe return, did not (if I am not miſtaken and miſled by the authorities I have quoted) apply to the houſe of commons for redreſs, and for the puniſhment of the ſheriff who had injured him, but purſued ſuch other methods as were then pointed out by law and cuſtom. By an act 11th Henry IV. A. D. 1409, the injured candidate might bring an action before the juſtices of aſſize, and if the ſheriff was found guilty by the verdict of a jury, he was to be fined 100l. (equivalent to

[25] 23d Hen. VI. c. 14.

1000l.

1000l. at preſent), to the king, and the member who had been falſely returned to loſe his wages [26]. By another act, 8th Henry VI. A. D. 1429 a ſheriff found guilty of a falſe return, beſides paying the above fine, was to be impriſoned a whole year [27]. By a third act, 23d Henry VI. 1444, a convicted ſheriff, beſides the above fine, was to pay 100l. to the injured candidate, or any other perſon who ſued for it [28]. This was a very ſevere law, as it ſubjected a ſheriff to a fine equivalent to 2000l. beſides a whole year's impriſonment; but the reaſon of this ſeverity ſeems to have been, that parliaments were then ſo ſhort, that a member deprived of his ſeat by a falſe return could hardly ever recover it in time. Electors and candidates who thought themſelves injured, ſometimes applied by petition to the king for redreſs [29].

Members received wages.

All the members of the houſe of peers always attended parliaments at their own expence, that being one of the ſervices they were obliged to perform for the baronies they held of the crown. But as ſoon as the ſmaller tenants of the king *in capite*, or freeholders, were permitted to appear by repreſentatives, they were ſubjected to pay the expences or wages of theſe repreſentatives. This cuſtom, of repreſentatives receiving and their conſtituents paying wages, commenced with the commencement of repreſentation, from a principle of common equity, without any poſitive law; and on that

[26] 11th Hen. IV. c. 1.
[27] 23d Henry VI. c. 14.
[28] 8th Hen. VI. c. 7.
[29] Prynne, vol. 3. p. 157.

footing

footing it continued from 49th Henry III. A. D. 1265 to the 18th Richard II. A. D. 1394, when a law was made to remove ſome doubts that had ariſen about the perſons bound to contribute to the payment of the wages of the repreſentatives of counties[30]. The wages of knights of ſhires were always higher than thoſe of citizens and burgeſſes, becauſe they were really perſons of a higher rank, and lived in a more expenſive manner. For more than a century the wages of the members of the houſe of commons were ſometimes higher and ſometimes lower; but at length, in the reign of Edward III. they became fixed to 4s. a-day for a knight of a ſhire, and 2s. a day for a citizen or burgeſs, and continued at that rate as long as they continued to be paid[31]. Nor was this at firſt an incompetent ſum, as 4s. then was equivalent to 40s. at preſent. The proudeſt and moſt opulent knights thought it no diſhonour to receive their wages, and even to ſue for them; and no man in thoſe times imagined that this cuſtom ever could or would be changed, as it was ſo reaſonable, and productive of ſo many good effects; particularly it engaged the attendance of all the members to the very laſt day of every ſeſſion, becauſe thoſe who did not attend from the firſt to the laſt day received no wages; and their negligence could not be concealed from their conſtituents. Accordingly we often find all the members preſent, and receiving

[30] Prynne, vol. 4. p. 400.
[31] Id. ibid. p. 78. *et paſſim.*

writs

writs for their expences at the diſſolution of a parliament [32].

Privileges.

As the members of the houſe of commons received wages for their ſervices, ſo they enjoyed certain privileges, to enable them to earn their wages, by performing their ſervices. Their own perſons, therefore, and the perſons of their neceſſary ſervants and attendants, were ſecured from arreſts, in going to, attending upon, and returning from parliament; but not in the intervals between one ſeſſion of parliament and another. In a word, their pay, their privileges, and their ſervices, commenced and ended at the ſame time, i. e. they commenced as many days before the beginning of a ſeſſion as enabled them to travel from their own houſes to the place where the parliament was to meet; they continued during the continuance of the ſeſſion, and as many days after as enabled them to return home, and not one day longer [33]. When the commons imagined that any of their number had been deprived of their privileges, they applied, by petition, to the king, or houſe of lords, or to both, for redreſs; of which we meet with many authentic proofs and examples in the work quoted below [34]. Theſe petitions were ſometimes unſucceſsful, as appears from the famous caſe of Thomas Thorpe, ſpeaker of the houſe of commons, A. D. 1452 [35].

[32] See Prynne's Regiſter of Parliamentary Writs, vol. 4. *paſſim*.

[33] Id. ibid. vol. 5. p. 625—639.

[34] Id. ibid. p. 678—690. 722, 730, 736—744. 747—751. 766—776. 850—853.

[35] Id. ibid. p. 678—690.

Convo-

Covocations.

Convocations were alſo ſummoned to the ſame place, at the ſame time with parliaments, by writs directed to the archbiſhops and biſhops, commanding them to attend in perſon, to conſult with the other prelates and nobles; enjoining them alſo to iſſue precepts to their deans and chapters, their archdeacons and clergy, requiring the deans and archdeacons to attend in perſon, each chapter to ſend one proctor, and the clergy of each dioceſs to ſend two proctors, "to conſent to thoſe things "which ſhould be ordained by the common coun-"cil of the kingdom[36]." This was the uniform tenor of the clerical writs in this period; and as the deans, archdeacons, and proctors of the inferior clergy, had only a power of conſenting, and not of conſulting, it is not probable that they were now conſidered as members of the houſe of commons; though in the parliament of Ireland (which was originally formed on the model of that of England) they continued to be members of the houſe of commons long after this, till they were excluded by an act of parliament, 28th Henry VIII. A. D. 1536, becauſe they ſupported the authority of the pope, and obſtructed the reformation of the church[37]. The proctors of the clergy, however, received wages from their conſtituents, and enjoyed all the other privileges of the members of the houſe of commons[38]. The clergy ſtill continued to grant their own money in their convocations;

[36] Dugdale's Summons to Parliaments, *paſſim*.
[37] Prynne, [illegible] 4. p. 596.
[38] Id. ibid, [illegible] 37. [illegible]. Statutes, 8th Hen. VI. ch. 1.

but

but their grants were not effectual till they were confirmed in parliament [39].

Influence of the clergy.

The clergy of England had great influence in all the public councils of the kingdom, and particularly in parliament, in this period. This was not ſo much owing to their ſuperiority in learning and ſanctity, which they did not very much affect, as to their conſtant reſidence in the kingdom, and preſence in theſe councils, while the nobles and great men were engaged in warlike expeditions into France or Scotland. Beſides all the archbiſhops and biſhops, twenty-five abbots and two priors were ſummoned to every parliament, and ſometimes many more, which made the ſpiritual lords generally double the number of the temporal lords in the houſe of peers [40]. This enabled the prelates to procure ſanguinary laws againſt heretics, and to ſecure the immenſe poſſeſſions of the church, together with all her abſurd errors and wretched ſuperſtitions, from all attacks [41].

Method of making laws.

One of the moſt important changes in the method of conducting buſineſs in the parliament of England, that occurred in the courſe of this period, was in the manner of framing laws or acts of parliament. In the former period, "the commons, "towards the concluſion of every ſeſſion, pre"ſented, in the preſence of the lords, certain pe"titions, for the redreſs of grievances, to the king

[39] Prynne, p. 594, 595.

[40] Prynne's Register of Writs, [illegible] I p. 141.

[41] 1ſt Hen. IV. ch. 15. 2d Hen. V. [illegible] Walſingham, p. 371, 372.

"which

" which he either granted, denied, or delayed. " Thoſe petitions that were granted were after- " wards put into the form of ſtatutes, by the judges " and other members of the king's council, in- " ſerted in the ſtatute-roll, and tranſmitted to " ſheriffs, to be promulgated in their county- " courts [42]." This was certainly a very looſe inaccurate method of conducting a buſineſs of ſo much importance; and the commons complained that ſome of the ſtatutes did not correſpond to their petitions, nay that ſome ſtatutes appeared in the ſtatute-roll for which they had not petitioned, and to which they had never given their conſent [43]. To prevent ſuch dangerous abuſes, the commons began to draw up their petitions in a more correct manner, and at greater length, than formerly, in the reign of Henry V. and ſaw them formed into acts, by the judges, before the ſeſſion ended. In the next reign, they became ſtill more expert in buſineſs, and drew up their petitions in the form of bills or acts, as they wiſhed them to be paſſed into laws; and when all theſe acts prepared in one ſeſſion had been examined and agreed to by the lords, and had received the royal aſſent, the enacting clauſe was prefixed to the whole ſyſtem, moſt commonly in theſe or ſuch words as the e:—" The " king, by the advice and aſſent of the lords ſpiri- " tual and temporal, and at the ſpecial requeſt of " the commons, hath ordained and eſtabliſhed cer-

[42] See vol. 8. ch. 3. § 4. [43] See vol. 8. ch. 3. § 4.

" tain

"tain ordinances and ſtatutes [44]." This was a great improvement in the art of legiſlation, which advanced by very ſlow degrees towards perfection.

The ſeſſions of parliament were ſtill very ſhort; and many of them had only one, and few of them above two or three ſeſſions. The laſt parliament of Richard II. which may alſo be called the firſt of Henry IV. ſat only one day, September 30, A. D. 1399; and in that ſhort ſeſſion, depoſed one king, and placed another on the throne; which haſty tranſaction was productive of many calamities, and brought the kingdom to the brink of ruin [45]. The two longeſt parliaments in this period were thoſe of the 8th Henry IV. A. D. 1407, and 23d Henry VI. A. D. 1446; the former of which ſat, in three ſeſſions, 159 days, and the latter, in four ſeſſions, 178 days: but both the members and their conſtituents complained of the length of theſe parliaments; the members, for being ſo long detained from their buſineſs and diverſions in the country, in which they delighted; and their conſtituents, on account of the wages of their repreſentatives, which amounted to conſiderable ſums [46]. The wages, for example, of the two knights of the ſhire for Cumberland, in the firſt of theſe parliaments, amounted to 80l. 8s. equivalent to 800l. at preſent; becauſe, beſides the 159 days that the three ſeſſions laſted, they were al-

Shortneſs of parliaments.

[44] Blackſtone's Commentaries, vol. I. p. 175. Statutes at Large, vol. I. *paſſim.*

[45] Prynne, vol 4. p. 449, 450. Walſingham, p. 359.

[46] Prynne, vol. 4. p. 482. 526. Hollingſhed, p. 531.

lowed wages for forty-two days for their three journies [47].

Statute law.

About fifty ſyſtems or bodies of laws were made, in ſo many different ſeſſions of parliaments, in the courſe of this period, ſome of them containing only a few, and others of them between twenty and thirty ſtatutes, on too great a variety of ſubjects to be here enumerated [48]. Some of them were intended to explain, amend, or revive former laws, and others in affirmance of the common law, or for ſupplying its defects, by inflicting ſeverer penalties on certain crimes, and providing new remedies for new diſorders. It ſeems ſtill to have been a prevailing opinion in the firſt part of this period, that the authority of laws was weakened, if not deſtroyed, by the death of the prince under whom they had been made; and therefore both Henry IV. and Henry V. ſoon after their acceſſion, confirmed the great charter, and the charter of the foreſts with all other laws that had not been repealed [49]. But though theſe two famous charters were thus twice confirmed in this period, it was only in common with all other ſtatutes; and it plainly appears, that they were not ſo much inſiſted upon, or attended to, by the people of England, as they had been when the remembrance of them was more recent. Some ſevere, or rather cruel laws, were made by Henry IV. and Henry V. againſt the followers of Wickliffe, who were called

47 Prynne, vol. 4. p. 478.

48 See Statutes at Large, vol. 1, 2.

49 Statutes, 1ſt Hen. IV. ch. 1. 4th Hen. V. ch. 1.

heretics and Lollards, and, when convicted, were conſigned to the flames [50]. Theſe laws were probably procured by the influence of the clergy, whoſe favour was much courted by both theſe princes. Additional powers were granted to juſtices of the peace; and various laws were made for regulating their qualifications and proceedings [51]. The ſtatutes of this period were very unfriendly to ſtrangers who traded or ſettled in England, particularly to the Welſh and Iriſh [52]. Some excellent laws for the regulation and encouragement of trade and manufactures were made in the reign of Edward IV. who was himſelf one of the greateſt merchants in Europe, and paid great attention to commerce [53]. The ſtatutes of Richard III. were the firſt that were expreſſed in the Engliſh language, all former ſtatutes having been either in Latin or French; which were not underſtood by the great body of the people, or even by many of the legiſlators [54]. Theſe were alſo the firſt ſtatutes of England that were printed. But as many of the ſtatute-laws of this period have been effectually repealed by length of time and change of circumſtances, as well as by ſubſequent ſtatutes, it doth not ſeem to be neceſſary to give a

[50] 2d Hen IV. ch. 15; 2d Hen. V. ch. 7.

[51] 4th Hen. IV. ch. 9.; 5th, ch. 10.; 13th, ch. 7.; 2d Hen. V. ch. 4.; 2d Statutes, ch. 1.; 2d Hen. VI. ch. 9.; 6th, ch. 3. &c. &c.

[52] 2d Hen. IV. ch. 16. 4th, ch. 16—34.; 9th, ch. 3.; 1ſt Hen. V. ch. 6.; 4th, ch. 6.; 1ſt Hen. VI. ch. 3. &c. &c.

[53] See ſtat. Edward IV. [54] See ſtat. Rich. III.

more particular account of them in a general hiſtory[55].

Judges and their ſalaries.

The courts of law in England continued nearly on the ſame footing in this as in the former period. The number of judges in the courts at Weſtminſter was not yet fixed; as, in the reign of Henry VI. there were ſometimes five, ſix, ſeven, and at one time eight judges, in the court of common pleas[56]. The ancient ſalaries of theſe judges were very ſmall, viz. to the chief juſtice of the king's bench, 40l. a-year, to the chief juſtice of the common pleas, 40l. and to each of the other judges in theſe two courts, 40 marks. Henry VI. by letters patent, granted an additional ſalary,—to the chief juſtice of the king's bench, of 180 marks or 120l. which made his whole ſalary 160l. equivalent to 1600l.;—to the chief juſtice of the common pleas, of 93l. 6s. 8d. which made his whole ſalary 130l. 6s. 8d. equivalent to 1300l.;—to each of the other judges, 110 marks, which made the whole ſalary of each judge 100l. equivalent to 1000l. at preſent. Beſides theſe ſalaries, each judge had a certain quantity of ſilk, linen-cloth, and furs, for his ſummer and winter robes, out of the royal wardrobe, or an equivalent in money. All theſe judges were alſo juſtices of aſſize, for which each had a ſalary of 20l. equivalent to 200l. What other perquiſites or profits were

[55] See many ingenious remarks on the ſtatutes of this period, in the Hon. Judge Barrington's Obſervations on the Statutes.

[56] Dugdale's Origines Juridicales, p. 59.

annexed

annexed to their offices (which they held only during pleaſure) I have not diſcovered. The winter-robes of each judge coſt 5l. 6s. 11½d. equivalent to 53l. 10s.; and his ſummer-robes 3l. 3s. 6d. equivalent to 31l. 15s. The annual ſalary of the attorney-general was only 10l. equivalent to 100l. He was allowed only one robe, worth 1l. 6s. 11d. equivalent to 13l. 10s. All the judges and the attorney-general preſented a petition to the king in parliament, A. D. 1439, complaining that their ſalaries were too ſmall, and ill paid; and that, if they did not obtain redreſs, they would be obliged to reſign their offices. It doth not appear that they obtained any addition: but an act was made, that they ſhould be regularly paid, twice a-year, by the clerk of the Hanaper [57]. When a judge was admitted into his office, he took a ſolemn oath, "That he would not re-"ceive any fee, penſion, gift, reward, or bribe, "of any man having ſute or plea before him, "ſaving meat and drink, which ſhould be of no "great value [58]."

Great and juſt complaints were made, in this as well as in former periods, of the corrupt and imperfect adminiſtration of juſtice. This was owing

Corrupt adminiſtration of juſtice.

[57] Dugdale's Origines Juridicales, p. 105—110.

[58] Forteſcue de Laudibus Legum Angliæ, c. 51. Statutes, A. D. 1344. The whole fees or ſalaries of the treaſurer of England, keeper of the privy ſeal, the judges of both benches, the barons of the exchequer, and other officers of theſe courts, A. D. 1421, amounted only to 3000l. equivalent to 30,000l. at preſent. Rym. Fœd. tom. 10. p. 113.

to ſeveral cauſes, beſides the inſufficient ſalaries and precarious ſituation of the judges. Maintenance, as it was called, ſtill prevailed; by which great numbers of people confederated together, under one head, whoſe livery they wore, to defend each other in all their claims and pleas, whether they were juſt or unjuſt. Theſe confederates laid all the peaceable people around them under contribution, not to haraſs them by vexatious lawſuits [59]. The exemptions which the clergy claimed from the juriſdiction of the civil courts, made it almoſt impoſſible for the laity to compel their ſpiritual guides to do them common juſtice by a legal proceſs. The great number of ſanctuaries in all parts of the kingdom, protected many from the puniſhment due to their crimes, and from the payment of their debts. Perjury was a reigning vice in this period: and we are told by the prelates and clergy of the province of Canterbury, in convocation, A. D. 1439, that great numbers of people had no other trade but that of hiring themſelves for witneſſes, or taking bribes when they were on juries [60]. But the violent factions, and cruel civil wars, of thoſe times, were the greateſt obſtacles to the regular impartial adminiſtration of juſtice. The truth is, the people of England, in this period, were frequently under a kind of military government; and the high conſtable was inveſted with authority to put the greateſt ſubjects in the kingdom to death, without noiſe, or ſo much

[59] Wilkin. Concil. tom. 3. p. 534.

[60] Id. ibid.

as

as obſerving the forms of law, whenever he was convinced in his own mind that they were guilty, as appears from an article in his commiſſion, quoted below[61]. This extraordinary commiſſion was ſometimes executed in its full extent; and ſeveral perſons of high rank were put to death, without any inquiry after evidence, as our readers muſt have obſerved. But when the conſtable wiſhed to have ſome appearance of proof, and could not obtain it in any other way, he ſometimes had recourſe to torture. Of this it may be proper to give one example. One Cornelius Shoemaker, being ſeized at Queenborough, A. D. 1468, and letters found upon him from queen Margaret, then in France, he was tortured by fire, to make him diſcover the names of the noblemen and gentlemen who correſponded with the exiled queen[62]. The famous rack in the tower of London, called *the duke of Exeter's daughter*, becauſe invented by that duke when he was conſtable, is well known.

Lawyers and attornies.

But if juſtice was not well adminiſtered in this period, it was not owing to a want or ſcarcity of lawyers or attornies. According to the account given us by Sir John Forteſcue, chief juſtice of the king's bench in the reign of Henry VI. there were no fewer than 2000 ſtudents of law, in the inns of

[61] Plenam poteſtatem et auctoritatem damus et committimus ad cognoſcendum et procedendum in omnibus et ſingulis cauſis et negotiis de et ſuper crimine læſæ majeſtatis, ſeu ipſius occaſione, cæteriſque cauſis quibuſcunque, ſummarie et de plano, ſine ſtrepetu et figura judicii, &c. &c. Rym. Fœd. tom. 11. p. 582.

[62] W. Wyrceſter, p. 515.

chancery

chancery and the inns of court in his time[63]. Attornies had become ſo numerous about the ſame time, in ſome parts of England, particularly in Norfolk and Suffolk, that an act of parliament was made, 33d Henry VI. A. D. 1455, reſtricting their number in theſe two counties to fourteen, ſix in each county, and two in the city of Norwich[64].

Common law.

The following deſcription of the common law in this period, taken from the learned hiſtorian of that law, is, I believe, both the beſt and ſhorteſt that can be given. "Touching the reports of "the years and terms of Henry IV. and Henry V. "I can only ſay, they do not arrive, either in the "nature of the learning contained in them, or in "the judiciouſneſs or knowledge of the judges "and pleaders, nor in any other reſpect ariſe to "the perfection of the laſt twelve years of Ed-"ward III. But the times of Henry VI. as alſo "of Edward IV. and Edward V. were times that "abounded with learned and excellent men. "There is little odds in the uſefulneſs and learn-"ing of theſe books, only the firſt part of Hen-"ry VI. is more barren, ſpending itſelf much in "learning of little moment, and now out of uſe; "but the ſecond part is full of excellent learn-"ing[65]."

Court of Chancery.

Though that remarkable ſingularity in the Engliſh conſtitution, the court of equity in chancery,

[63] Forteſque de Laudibus Legum Angliæ, ch. 49.
[64] Statutes, 33d Hen. VI. ch. 7.
[65] Hale's Hiſtory of the Common Law, p. 171.

is not of great antiquity, it is not eaſy to trace it to its origin, or to diſcover the preciſe time and occaſion of its eſtabliſhment. It is moſt probable that it was introduced by certain ſteps and practices, which ſlowly and inſenſibly led to ſuch an inſtitution. In former times when a perſon thought himſelf greatly injured by a ſentence of the ſupreme courts of law, he applied by a repreſentation of his caſe, and a petition for redreſs, to the king, the fountain of Juſtice. After our kings deſiſted from adminiſtering juſtice in ſuch caſes in their own perſons, theſe repreſentations and petitions were commonly, and at length conſtantly, referred to the lord chancellor, the keeper of the king's conſcience, one of the greateſt officers of the crown and wiſeſt men in the kingdom. By a long continuance of this practice, the chancellor came to be conſidered, both by our kings and their ſubjects, as the officer whoſe province it was to mitigate the rigorous ſentences of ſtrict law, by the milder deciſions of equity and mercy. John Waltham, biſhop of Saliſbury, and chancellor to Richard II. invented, it is ſaid, the writ of *ſubpœna*, returnable only in chancery, in order to bring feoffees of land to uſes, directly into that court, to make them accountable to thoſe for whoſe uſe they held the lands [66]. Theſe writs were ſoon after applied for and obtained in other caſes; which greatly increaſed the buſineſs of the court of equity in chancery, and gave umbrage to the courts of

[66] Blackſtone, vol. 3. p. 51, 52.

common

common law[67]. A ſmall check was given to this by an act of parliament, 17th Richard II. A. D. 1393, by empowering the chancellor to give damages to the injured party, when he found that a cauſe had been brought before him on untrue ſuggeſtions[68]. This, however, and another ſtill ſtronger, 15th Henry VI. A. D. 1436, did not ſatisfy the common lawyers; and the houſe of commons, at their requeſt, petitioned the king in parliament, 14th Edward IV. A. D. 1474, to ſuppreſs the writ of *ſubpœna*. But that petition was refuſed; and the court of equity in chancery was fully eſtabliſhed, and its buſineſs continued to increaſe[69]. All the chancellors of England in this period were clergymen; and this triumph over the courts of common law was chiefly obtained by the influence of the clergy, who had long viewed theſe courts with an unfriendly eye, as they did not favour their exorbitant claims. For a more particular account of the courts of law than is competent to general hiſtory, the reader may conſult the excellent work quoted below[70].

Ordinary revenues.

The revenues of the kings of England in this period, as well as their charges and expences, may be divided into ordinary and extraordinary. It is not neceſſary to give a very minute deſcription of the hereditary, ſtated, and ordinary revenues of the kings of England in this period, as the ſources of

[67] Blackſtone, vol 3. p. 51, 52.
[68] Statut. 8, 17th Rich. II. ch. 6.
[69] Cotton's Records, p. 419. 422. 423. 548.
[70] Judge Blackſtone's Commentaries, vol. 3. ch. 4, 5, 6.

them

them have been already enumerated at full length [71]. The crown-lands, with the wardſhips and marriages of thoſe who held of the crown *in capite*, ſtill formed one of the chief ſources of its ordinary revenue. The crown lands, or royal demeſnes, in the reign of William the Conqueror, and ſome of his ſucceſſors, were of immenſe extent and great value; and, together with the various preſtations of their feudal tenants, were abundantly ſufficient to ſupport them in affluence and ſplendour, with little or no dependence on their ſubjects. But ſucceeding princes, by engaging in unneceſſary and expenſive wars;—by liberal, profuſe, imprudent grants;—by founding and endowing monaſteries;—and by other means, gradually and greatly diminiſhed the royal demeſnes. It is difficult to determine whether thoſe kings who were deſpiſed for their weakneſs and ſuperſtition, or thoſe who were celebrated for their valour and ambition, contributed moſt to produce this effect. The victorious Henry V. not only pawned his crown, his jewels, and his furniture, but alienated ſo many of the crown-lands, that in the laſt year of his reign, the remainder of them, with the wardſhip and marriages of his vaſſals, yielded only 15,066l. 11s. 1d. equivalent to 150,671 l. 11s. 10d. [72]. This fund of the ordinary revenues of the crown ſometimes received great acceſſions, by reſumptions and confiſcations. Edward IV. after the battles of Barnet and Tewkſbury, A. D. 1471, by the confiſcation

[71] See vol. 6. ch. 3. § 1.

[72] Rym. Fœd. tom. 10. p. 113.

of

of the great eſtates of the duke of Somerſet, the marquis of Montacute, the earl of Warwick, and all the chief men of the Lancaſtrian party, "had "(to uſe the words of ſir John Forteſcue) live-"lood in lordſchippis lands, tenements, and rents, "nerchand to the value of the fifth part of his "realme, above the poſſeſſions of the churche; by "which livelood if it had abyden ſtyl in his "hands, he had been more myghty of good re-"venuz, than any king that now reynith upon "Chriſten men[73]." He ſays further, that if the king had kept all this land, "he ſchuld have had "lyvelood ſufficyent for the maintenaunce of his "aſtate[74]." At the ſame time he relates in what manner all that immenſe acceſſion of landed property was ſoon alienated, and the king reduced to a ſtate of dependence upon his ſubjects for extraordinary aids in parliament[75]. This conſtant diſſipation of the landed property of the crown was not altogether owing to the imprudent profuſion of princes, but was almoſt unavoidable; becauſe money being very ſcarce, they had hardly any other way of gratifying favourites, or rewarding ſervices, but by grants of lands.

Cuſtoms, &c.

The ſeveral cuſtoms and duties on merchandiſe, though impoſed by parliament, were, in this period, reckoned amongſt the ordinary ſtated revenues of the crown, becauſe they were granted to every king, as it were, of courſe. In that account

[73] Sir John Forteſcue, on the difference between abſolute and limited monarchy, p. 83, 84.

[74] Id. p. 85.

[75] Id. p. 84, 85.

deli-

delivered to Henry V. at Lambeth, A. D. 1421, by William Kenwolmerſh, dean of St. Martin's, London, treaſurer of England, all theſe cuſtoms and duties amounted to 40,687l. 19 s. 9½d. a-year equivalent to 406,880l. of our money at preſent. By that account it alſo appears; that the whole ſtated revenue of the crown of England for that year amounted to no more than 55,754l. 10 s. 10½d. which (neglecting the fractions) was equivalent to 557,540l.[76]. From that very curious account, it is likewiſe evident, that Henry V. after paying his guards and garriſons—the expences of his civil government—the ſalaries of the collectors, &c. of his cuſtoms—and penſions, to dukes, earls, knights, &c. which were charges on his ordinary revenue, had only 3,507l. 13s. 11½d. equivalent to 35,077l. remaining, to defray all the expences—of his houſehold—his wardrobe—his works—his embaſſies, and various other charges: a ſum altogether incompetent to anſwer thoſe purpoſes, as the expence of the king's houſehold alone amounted, in thoſe times, to about 20,000l. equivalent to 200,000l. at preſent[77]. The ſame account alſo repreſents, that many of the debts of his father, Henry IV. and his own debts contracted when he was prince of Wales, were ſtill unpaid, and that great arrears were owing of ſalaries and penſions, and to his garriſons, his houſehold, and his wardrobe. From this authentic account of the ordinary

[76] Forteſcue, p. 84, 85. Anderſon's Hiſtory of Commerce, vol. 1. p. 284.

[77] Anderſon's Hiſtory of Commerce, vol. 1. p. 237.

revenues

revenues of the crown of England, and of the ordinary charges upon theſe revenues, we need not be ſurpriſed that all our kings in this period lived in ſtraits, and died deeply involved in debt, Edward IV. alone excepted. As that prince ſucceeded to an enemy and an uſurper, he paid none of his predeceſſor's debts. He was a good œconomiſt, and a great merchant, and uſed various means to get money with which other kings were unacquainted, beſides the large penſion from the king of France, which he enjoyed ſeveral years.

Extraordinary revenues.

The extraordinary revenues of the crown of England were ſuch as were granted by parliament, not of courſe, but on particular occaſions, to anſwer particular purpoſes. Theſe grants were made, upon the application of the king by his miniſters, moſt frequently to defray the expences of a war, for which the ordinary revenues of the crown were quite inadequate. They conſiſted chiefly of tenths or fifteenths of all the moveable goods both of the clergy and laity, to which the king had no right, till they were voluntarily given him by the clergy in convocation, and by the laity in parliament. Theſe tenths and fifteenths were paid according to a value ſet upon every perſon's goods, by commiſſioners appointed for that purpoſe in every diſtrict, both in town and country, and yielded ſometimes more, ſometimes leſs, as they were more carefully or more careleſsly collected, or as the kingdom was in a flouriſhing or declining ſtate. The people ſometimes endeavoured to avoid paying their due proportion of tenths and fifteenths, by removing

their

their cattle and goods to ſome diſtance, before the commiſſioners came to take an account of them; to prevent which an act of parliament was made, A. D. 1407, that all perſons, and particularly foreigners, ſhould pay according to the cattle and goods they had in any place, on the day on which the act for a tenth or fifteenth was paſſed; and that the diſtrict, town, or county, ſhould pay for all the cattle and goods that were removed after that day[78]. This made the people ſpies upon one another. Sometimes parliament granted a tax upon lands and offices above a certain value; ſometimes impoſed additional duties upon certain commodities for a limited time; and on a few occaſions impoſed a poll-tax[79]. But theſe extraordinary aids frequently fell ſhort of anſwering the purpoſes for which they were given, and added to the difficulties and debts of the prince to whom they were granted. The preſervation of Calais and the caſtles in its little territory, and the defence of the borders againſt the Scots, were heavy loads on the revenues of the kings of England in this period. Theſe two charges were nearly equal, and (if there is no miſtake in the record of the tranſcript) amounted to L. 38,619 : 5 : 10, equivalent to L. 386,210 : 18 : 4[80]. In a word, it was the great misfortune of the people of England in this period, that they were almoſt conſtantly engaged in war; for though ſome of theſe wars were glorious, none

[78] 10th Hen. IV. c. 7.
[79] Parl. Hiſt. v. 2. p. 124. 368—372.
[80] Rym. Fœd. tom. 10. p. 113.

of them were advantageous; and moſt of them were very pernicious to the proſperity of the kingdom—by diminiſhing population—by obſtructing the progreſs of arts and commerce—and by involving our kings in debt, after they had extorted more money from their ſubjects than they could well afford to pay. When will ambition liſten to the voice of reaſon and humanity, and permit mankind to enjoy the gifts of nature and providence in peace?

Illegal methods of raiſing money.

When all the ordinary and extraordinary revenues of the crown proved inſufficient to defray the expences of a war, our kings had recourſe to various expedients, ſome of them neither honourable nor lawful, to procure money. Edward IV. for example, not only carried on trade like a common merchant, but alſo ſolicited charities, which he called benevolences or free gifts, like a common, or rather like a ſturdy beggar. Having expended all the aids granted to him by parliament, in preparing for an expedition into France, A. D. 1475; he ſent for all the rich lords, ladies, gentlemen, and merchants, of whom he had procured a liſt, received them with the moſt captivating affability, repreſented the greatneſs of his neceſſities, and earneſtly intreated them to grant him as great a free gift as they could afford, accompanying his entreaties with ſmiles and promiſes, or frowns and threats, as he ſaw occaſion. Being a handſome, gallant, courteous, and popular prince, he was exceedingly ſucceſsful in his ſolicitations, particularly with the ladies, and collected a greater maſs

of

of money than had ever been in the poſſeſſion of a king of England[81]. This mode of raiſing money appeared to be ſo dangerous to the liberties of the kingdom, as well as hurtful to particular perſons, who were induced to contribute more than they could afford, that an act of parliament was made againſt it, 1ſt Richard III. A. D. 1483; and in the preamble of that act, the pernicious effects of it are painted in very ſtrong colours: "Many "worſhipful men of this realm, by occaſion of "that benevolence, were compelled by neceſſity "to break up their houſeholds, and to live in "great penury and wretchedneſs, their debts un-"paid, their children unpreferred, and ſuch me-"morials as they had ordained to be done for the "wealth of their ſouls, were anentized and an-"nulled, to the great diſpleaſure of God, and "deſtruction of this realm[82]." Several other pitiful and illegal arts were uſed by the kings of England, in this period, to extort money from their ſubjects, which are better buried in oblivion than recorded in hiſtory[83].

England a limited monarchy.

The powers and prerogatives of the kings of England in this period were not diſtinctly marked or aſcertained, and therefore depended in ſome meaſure on the character of the king, and the circumſtances of the kingdom. In general, however, it may be ſafely affirmed—that they were very far from being poſſeſſed of arbitrary power—that the diſtinction between an abſolute and limited

[81] Hiſt. Croyl. p. 558. Fabian, f. 222. Hall, f. 227. Grafton, p. 719.

[82] Statutes, 1ſt Rich. III. [illegible].

[83] See Cottoni Poſthuma, p. 163—[illegible]

monarchy was perfectly well underſtood—and that England was a limited monarchy. "Ther be "two kynds of kyngdomys (ſays ſir John For- "teſcue, who wrote in this period) of which that "one ys a lordſhip, callid in Latyne, *Dominium* "*regale*, and that other is calljd *Dominium politi-* "*cum & regale*. And they dyverſin (differ) in "that the firſt may rule his people by ſuch lawys "as he makyth hymſelf; and therefor he may ſet "upon them talys (taxes) and other impoſitions, "ſuch as he wyl hymſelf, without their aſſent. The "ſecund may not rule hys people by other lawys "than ſuch as they aſſenten unto; and therefor he "may ſet on them none impoſitions without their "own aſſent [52]." That great lawyer, in the ſubſequent chapters of his book, enumerates the advantages that England derived from being a *Dominium politicum & regale*, or a limited monarchy; and the miſeries that France endured from being a *Dominium regale*, or an abſolute monarchy. It was alſo underſtood, that the kings of England could neither repeal nor change any ſtanding law of the land by their own authority, without the conſent of parliament. "A king of England "cannot, at his pleaſure, make any alterations in "the laws of the land; for the nature of his go- "vernment is not only regal but political [53]." I am not ſo certain that it was underſtood to be a part of the conſtitution of England in this

[52] Sir John Forteſcue, on the difference between an abſolute and limited monarchy, c. 1.

[53] Forteſcue de laudibus legum Angliæ, cap. 9.

period,

period, that the king could not interpret the laws, and adminiſter juſtice to his ſubjects in perſon, but only by his judges. This, however, was ſo much the practice, that I have met with only one exception to it, if it is indeed an exception. Edward IV. in the ſecond year of his reign, ſat three days together, during Michaelmas term, in the court of king's bench; but it is not ſaid that he interfered in the buſineſs of the court; and as he was then a very young man, it is probable that it was his intention to learn in what manner juſtice was adminiſtered, rather than to act the part of a judge [86]. The ſame prince, in the 17th year of his reign, A. D. 1477, when the country was over-run with numerous gangs of robbers, accompanied the judges of aſſize in their circuits; but his deſign in doing this ſeems to have been, to prevent the judges from being inſulted or intimidated, and to ſecure the execution of their ſentences [87].

Diſpenſing.

But though it was well underſtood, that the kings of England, in this period, had no right to make, repeal, or alter the laws of the land, by their own authority; it is very certain, that they frequently took upon them to diſpenſe with theſe laws, and to grant permiſſion to particular perſons or ſocieties to violate them with impunity. Of this many examples might be given; one of each kind will be ſufficient. There was not any one law of England made with greater deliberation and ſolemnity, or to which the people had a ſtronger attachment,

[86] Truſſel's Continuation of Daniel's Hiſt. p. 184. Stowe, p. 416.
[87] Hiſt. Croyl. a Gale, vol. 1. p. 559.

than that of 16th Richard II. ch. 5. againſt procuring or purchaſing proviſions to benefices from the pope; and yet Henry IV. granted a diſpenſation from that law, by name, A. D. 1405, to Philip biſhop of Lincoln, with a permiſſion to procure proviſions from the pope for twenty-four diſcreet and virtuous clerks, graduated or not graduated [88]. That money was paid to the king for this diſpenſation, there is little room to doubt; and that the words *diſcreet and virtuous* were mere words of courſe, is equally clear; for if the biſhop and his clerks had been remarkably diſcreet and virtuous, they would hardly have deſired a diſpenſation from ſo good a law. Edward IV. in the ſecond year of his reign, A. D. 1462, made a moſt extraordinary uſe of this diſpenſing power; and, to ſecure the clergy in his intereſt, granted them permiſſion to violate all the laws of the land, or rather all the laws of God and man, prohibiting all his judges and officers to try or puniſh any archbiſhop, biſhop, or other clergyman, for treaſon, raviſhing women, or any other crime [89]. But whether this diſpenſing power, which was carried to ſuch an extravagant length, was conſidered in thoſe times (as it probably was, and certainly ought to have been conſidered) as a violent illegal ſtretch of the prerogative, I have not been able to diſcover, as I do not remember to have met with any complaints on that ſubject.

[88] Rym. Fœd. tom. 8. p. 409.
[89] Wilkin. Concil. tom 3. p. 583.

Though

Though the feudal ſyſtem of government, or rather tyranny, that gave ſo many pernicious prerogatives to the firſt kings of England after the conqueſt, had been long declining, and, like an old Gothic caſtle that had never been repaired, was now almoſt in ruins; yet our kings, in this period, ſtill retained ſome of theſe prerogatives that were very inconvenient and diſtreſsful to their ſubjects, as the wardſhip and marriages of the tenants of the crown, purveyance, &c. It is, however, evident that theſe prerogatives were now exerciſed with much greater lenity than they had been in former times, owing to the greater dependence of our kings upon their ſubjects. Purveyance, in particular, was limited by various ſtatutes, and reduced within the following bounds. "The king, by "his purveyors, may take, for his own uſe, "neceſſaries for his houſehold, in a reaſonable "price to be aſſeſſed at the diſcretion of the "conſtables of the place, whether the owners will "or not; but the king is obliged by the laws to "make preſent payment, or at a day to be fixed "by the great officers of the houſehold [90]." It ſeems to have been an undiſputed prerogative of the kings of England in this period, to preſs, not only ſailors and ſoldiers, but alſo artificers of all kinds, and even muſicians, goldſmiths, and embroiderers, into their ſervice [91]. They alſo naturalized foreigners by their own authority; of which Prerogatives.

[90] Forteſcue de laudibus, &c. ch. 50.
[91] Rym. Fœd. tom. 11. p. 375. 851.

many examples might be produced[91]. But it is not neceſſary to revive the memory of theſe and the like exploded prerogatives, which, happily both for the crown and country, are now forgotten.

Offices in the king's gift.

The numerous civil offices, as well as eccleſiaſtical benefices, which the kings of England had in their gift in this period, added not a little to their power and influence. "The kyng (ſaith ſir John For-"teſcue, in the reign of Edward IV.) givyth moo "than a thouſand offices, beſydes thoos verat my "lord prince gyvith, of which I rekyn[e] officers "as the kyng's officers. Of thees offices ſum may "deſpend by the yere, by reaſon of his office, "200 l. ſome 100 l. ſome 40 l. ſome 50 marks, "and ſo downward[91]." Theſe ſalaries appear contemptible in our eyes; but they were valuable in thoſe times; and the uſe that might be made of them, for attaching many perſons to the intereſt of the crown, was perfectly well underſtood. "Sum "foreſter of the king's (ſaith the ſame great "lawyer and politician, ſir John Forteſcue) that "hath none other livelood, may bring moo men "into the fild, well arrayed, and namely for ſchot-"ing, than may ſum knight, or ſum eſqueer, of "right grete livelood, dwellyng by hym, and having "non office. What than may grete officers do; "as ſtewards of grete lordſchippis, receyvers, con-"ſtables of caſtellis, maſter-foreſters, and ſuch other "officers;

[91] Rym. Fœd. tom. 10. p. 2. 74.

[91] Sir John Forteſcue on the difference between an abſolute and limited monarchy, ch. 17.

" officers; beſides the high officers, as juſtices of " foreſts, juſtices and chamberleyns of countries, " the warden of the ports, and ſuch others? For " ſoth it is not lightly eſtimable what might the " king may have of his officers, if every of them " had but one office, and ſerved none other man " but the king[90]."

The diſtinction between a king *de facto* and a king *de jure*, was firſt known in law in this period; and Edward IV. gave an illuſtrious proof, both of his wiſdom and humanity, in confirming, by the very firſt ſtatute in his reign, all the deeds and acts of his three predeceſſors of the houſe of Lancaſter (with a few exceptions), though they were, he declares, only kings in fact, and not of right. How many noble families would have been preſerved from ruin, if ſuch a law had been made at the beginning of this period! King *de facto*, &c.

To conclude: Though the conſtitution, government, and laws of England, had not yet arrived at that excellence to which they have ſince attained, they were conſiderably improved in the courſe of this period, and were really better than thoſe of any other ſtate in Europe at that time. To demonſtrate this, was the chief object of that learned and virtuous ſtateſman ſir John Forteſcue, in his curious work in praiſe of the laws of England; and it is confirmed by the teſtimony of one of the moſt intelligent foreigners who flouriſhed in thoſe times[91]. Philip de England beſt governed.

[90] Sir John Forteſcue on the difference between an abſolute and limited monarchy, ch. 17.

[91] Sir John Forteſcue de laudibus legum Angliæ, *paſſim*.

Comines,

Comines, after deſcribing the diſorders that reigned in the governments of France, Germany, and Italy, and the cruel oppreſſions under which the people of all theſe countries groaned, concludes in this manner:—"In my opinion, of all the ſtates in "the world that I know, England is the country "where the commonwealth is beſt governed, and "the people leaſt oppreſſed[96]." May the inhabitants of this happy iſland ever enjoy, and never abuſe, this moſt deſirable of all diſtinctions!

SECTION II.

Hiſtory of the Conſtitution, Government, and Laws, of Scotland, from A. D. 1400 *to* A. D. 1488.

Diſtracted ſtate of Scotland in the 14th century.

FOR many years before the untimely death of Alexander III. A. D. 1286, and of his granddaughter Margaret, commonly called *The Maiden of Norway*, heireſs of his dominions (who ſurvived him only four years), Scotland enjoyed as much proſperity and peace, with as good government and laws, as any kingdom in Europe in thoſe times. But after theſe events, that unhappy country ſuffered a ſad reverſe of fortune, fell into the moſt deplorable diſorder and confuſion, and became the ſcene of a long ſeries of the moſt deſtructive wars, which threatened it with deſolation. This was owing—to the diſputed ſucceſſion to the throne; —to its ſituation in the ſame iſland, with a much

[96] Philippe de Comines, b. 5. ch. 18.

greater,

greater, more opulent, and more powerful kingdom;—and to the ambition of Edward I. and Edward III. two of the moſt warlike kings of England, who ardently deſired to ſubject it to their authority. In the courſe of this long and bloody ſtruggle, Scotland was frequently over-run, and in appearance ſubdued; but the ſpirit of its inhabitants was invincible, and baffled all the efforts of their two powerful neighbours to deprive them of their independency. In theſe circumſtances no improvements in legiſlation could be expected; which is the reaſon that the account given in the eighth volume of this work, of the conſtitution, government, and laws of Scotland, in the fourteenth century, is ſo ſhort and unſatisfactory. What did not exiſt could not be deſcribed.

The circumſtances of Scotland in the firſt twenty-four years of our preſent period, were no better in this reſpect than they had been in the former. It was then governed (if it can be ſaid to have been governed) by two ſucceſſive regents, who made no new laws, and had not authority to execute the old. The laſt of theſe regents, Murdoch duke of Albany, was univerſally contemptible, and had little or no authority even in his own family. When James I. therefore, returned from his long captivity in England, and mounted the throne of his anceſtors, A. D. 1424, he found every thing in the greateſt diſorder; the laws deſpiſed,—the royal authority almoſt annihilated,—the patrimony of the crown diſſipated,—arts and commerce in a languiſhing

and beginning of the 15th.

guiſhing ſtate,—the nobles factious and turbulent,—and the people indigent and oppreſſed.

Parliament.

But that excellent prince applied himſelf with equal wiſdom and vigour to remedy theſe diſorders, and his efforts were not unſucceſsful. Without loſs of time he held a parliament at Perth, May 26, in which, and his ſubſequent parliaments, many acts were made that appear to have been well calculated to reſtore the authority of the laws, the prerogatives of the king, the patrimony of the crown, the ſafety and proſperity of the people; of which it will be ſufficient to give a few examples on each of theſe heads.

Authority of the laws.

For reſtoring the authority of the laws it was enacted, "by the king, with the aſſent and deliverance of the three eſtates, that all and findree the kingis liegis of the realm, leef and be governit under the king's laws, and ſtatutes of the realm[97]." An act that never would have been thought of in a more ſettled ſtate of government; but that was very neceſſary when law, and the obligations to obey it, were almoſt forgotten. By the ſame parliament it was enacted, "That ſix wyſe men and diſcreit, of ilk ane of the three eſtatis, quhilk knawes the lawis beſt, ſal be choſin, that ſal ſee and examine the buikis of law, that is to ſay, *Regiam Majeſtatem* and *Quoniam Attachiamenta*, and mend the lawis that neidis mendiment[98]." The laſt act of the third parliament of James I. held in March A. D.

[97] Records of Parliament, James I. act 53. Black Acts, f. 9.
[98] Id. act 63.

1426,

1426, effectually provided for the promulgation of all the laws that had been made in that and the two preceding parliaments[99]. But as the beſt laws are of little value if they are not properly executed, it was one of the firſt cares of this wiſe prince to provide for the due execution of the laws and adminiſtration of juſtice. By the ſixth act of his firſt parliament, "it is ordanit, That thair be maid "officiaris and miniſteris of law, throw all the "realme, that can or may had the law to the "king's commonis, and ſic as hes ſufficientlie of "thair awin, quhair throw thay may be puniſhit "giff thay treſpaſs. And giff ony be inſeft of ſic "offices of befoir, and ar not ſufficient to miniſter "thairin in proper perſon, that othoris be ordanit "in thair ſtedes; for the quhilk they that hes "ſic offices of the king in fee be halden to anſwer "to him giff thay treſpaſs[100]" By theſe and ſeveral other acts, James I. raiſed law from the duſt, and placed her with dignity on the bench.

Prerogatives of the king.

For reviving the prerogatives of the ſovereign, ſevere laws were made againſt treaſon, and all who aided or entertained traitors; againſt bonds or combinations for reſiſting the king and his officers in the adminiſtration of juſtice and execution of the laws; againſt private war; againſt the crime called *Leeſingmaking*, or ſpreading ſuch defamatory reports of government as had a tendency to diſturb the public peace, and create diſcord between the king and his ſubjects, &c. &c.[101].

[99] Records of Parliament, James I. act 77. [100] Id. act 6.
[101] Records of Parliament. Black Acts, act 2, 3, 4, 33, 47.

For

Patrimony of the crown.

For recovering the patrimony and revenues of the crown, his firſt parliament granted the greater cuſtoms on all goods exported and imported, with the ſmaller internal tolls at fairs and markets, to the king, for the ſupport of his houſehold [100]. The ſame parliament appointed commiſſioners to make inquiry, in every ſhire of the kingdom, what lands had belonged to any of the three preceding kings, David II. Robert II. and Robert III. that ſuch of them as had been alienated by the two regents might be reſumed [101]. The confiſcation of the great eſtates of the duke of Albany and his ſons, brought a great acceſſion of wealth to the crown, which was further increaſed by the reſumption of the earldoms of March and Strathern.

Oppreſſion of the people.

When James I. returned from England, he found the common people of Scotland in great diſtreſs, and groaning under hardſhips and oppreſſions of various kinds. The country was not only over-run with beggars, but ſtill more cruelly haraſſed by troops of lawleſs banditti, called *forners*, who roamed from place to place, living every where at free quarters, chiefly upon the poor farmers. James I. in his very firſt parliament, made a very wiſe law for the regulation of beggars. By that law, if any perſons above the age of fourteen, and under ſeventy, preſumed to beg in boroughs without badges from the magiſtrates, or in the country without badges from the ſheriff, they ſhall be

[100] Black Acts, act 8.
[101] Ibid. act 9.

falſe

ſeized and compelled to labour, under the penalty of being burnt on the cheek, and baniſhed the country [104]. To relieve the country from forners, ſheriffs were inveſted with power to apprehend, impriſon, and puniſh them; and were directed to inquire at every head court if there were any forners within the ſhire [105]. But this proved an obſtinate evil, that ſubſiſted through ſeveral ſucceeding ages, in ſpite of many ſevere laws. Finally, by reſtoring authority to law, and providing for the adminiſtration of juſtice, the common people were protected from many injuries to which they had formerly been expoſed; and this excellent prince, in the ſhort ſpace of thirteen years, made great improvements in the government of his kingdom; and would have made ſtill greater, if he had not been cut off, in the prime of life by the hands of cruel aſſaſſins.

James II. purſued the plan of his illuſtrious father; and many acts of parliament were made in his reign for the improvement of the conſtitution, by ſecuring the rights and revenues of the crown, the authority of the laws, and the regular adminiſtration of juſtice; of which it will be ſufficient to mention a very few. By repeated acts in the minority of James II. all the lands and goods that had belonged to his father at his death, were ſecured to him till he arrived at the age of twenty-one years [106]. After the forfeiture of the great James II.

[104] Black Acts, act 27. [105] Ibid. act 7.
[106] Ibid. f. 27.

eſtates

eſtates of the family of Douglas, a remarkable law was made, A. D. 1455, annexing many caſtles and lordſhips to the crown, and declaring them unalienable, without the conſent of parliament, becauſe (as it is ſaid in the preamble) "the poverty "of the crown is oftimes the cauſe of the poverty "of the realm[107]." Some ſevere acts were made for ſecuring the perſon and authority of the king, and for puniſhing thoſe who attempted any thing againſt them, or favoured ſuch attempts[108]. The following clauſe in one of theſe acts hath been the ſubject of warm political debates, though it ſeems to be very plain. "Thoſe that aſſailzies caſtelles "or places quhair the kingis perſoun ſall happen "to be, without the conſent of the three eſtates, "ſall be puniſt as traitoures[109]." From this clauſe it is very plain, that the three eſtates ſuppoſed a caſe might occur when it would be proper for them to command a caſtle, in which the king's perſon was to be aſſaulted: and the caſe they had in view moſt probably was this; when the king had been ſeized, and was detained by ſome powerful faction againſt his will, which too often happened in thoſe turbulent times. The acts that were made in the reign of James II. for eſtabliſhing the authority of law, and the regular adminiſtration of juſtice, will come more properly under our view in deſcribing the courts of juſtice. Few

[107] Black[illegible], f. 24.

[108] Ibid. f. 29, 30.

[109] Ibid. [illegible] II. act [illegible]. See account of the rights of the parliaments of Scotland—Abe[illegible]mby's Martial Atchievements, vol. 2. p. 345.

laws were made for the improvement of the conſtitution in the unhappy reign of James III.

Royal prerogatives.

The prerogatives of the kings of Scotland, in this period, were the ſame, in ſpeculation, with thoſe of the kings of England, being, like them, ſovereigns of a limited monarchy; but, in fact, they ſeldom enjoyed ſo much power. This was owing to the power and turbulence of the great nobility; to the rude ſtate of ſome parts of their dominions, particularly of the Highlands and iſlands, where the authority of the king and of the laws was but little regarded; and chiefly to the long and frequent minorities of our kings, as the crown always loſt ſome power when it was worn by a child. It plainly appears from the records, and even from the printed ſtatutes, that the kings of Scotland, in this period, conſulted their parliament on ſubjects that belonged to their own prerogative; ſuch as declaring and conducting war; making peace or truce; granting pardons, coining money; ſending ambaſſadors, &c. [110] But it is probable that they were induced to do this from prudential conſiderations, and becauſe they ſtood in need of the perſonal or pecuniary aid of their ſubjects, on all theſe occaſions. None of the kings of Scotland, in this period, attempted to impoſe the ſmalleſt tax without the conſent of parliament.

[110] See Records of Parliament—Bl[illegible] Acts, James I. act 25. 50. James II. act 15. 34. 52. 62. Jame[illegible]. act 22. [illegible]. 62. 90. 111, 112, 126.

State of Parliament.

As all theſe improvements in the conſtitution, government, and laws of Scotland, were made by the advice and authority of parliament, it is proper to give a ſhort and plain deſcription of thoſe aſſemblies in this period. The original records, or rather minutes, of many of theſe parliaments are ſtill extant; and though they are in general very ſhort and unſatisfactory, it is from them the following deſcription is chiefly taken.

Three eſtates.

Though all the members of the parliaments of Scotland ſat in one houſe, they were of three different orders in ſociety, which were called the three eſtates. The firſt of theſe eſtates was compoſed of the archbiſhops, biſhops, abbots, priors, and a few other dignitaries of the church. The ſecond eſtate conſiſted of the dukes, earls, lords of parliament, barons, and freeholders. The commiſſioners of boroughs formed the third eſtate [111]. It appears from the rolls of parliament, that the members of the firſt and ſecond eſtates were far more numerous than thoſe of the third; and being alſo of higher rank and greater power, they had, no doubt, proportionably greater influence; and it is not improbable, that a conſciouſneſs of their own inſignificancy was the reaſon that ſo few commiſſioners of boroughs (ſeldom above fourteen or fifteen) attended any parliament [112]. From the ſame evidence we alſo find, that very few of the ſmall barons and freeholders attended parliaments in this

[111] Records, *paſſim*. [112] Ibid.

period,

period, and that theſe aſſemblies conſiſted chiefly of ſpiritual and temporal lords [113].

How called.

It was the king's undoubted prerogative to call parliaments, and to appoint the time and place of their meetings; which he did by ſending ſpecial letters under his ſignet to all the prelates and great lords, and by iſſuing general precepts out of chancery, to be publiſhed edictually by the ſheriff of every ſhire, commanding all lords, prelates, barons, freeholders, and commiſſioners of boroughs to attend a parliament that was to meet at ſuch a time and place [114]. This mode of ſummoning parliaments is a further indication of the ſuperior importance of the ariſtocracy, as lords and prelates were ſummoned both by ſpecial letters and by general precepts, and the other members only by general precepts.

Proceedings.

We find no veſtiges in the records, of ſpeeches made by the king, or any of his miniſters, at the opening of parliaments; though it is highly probable that ſomething was ſaid concerning the reaſons of calling them, &c. A roll was prepared, containing the names of all who had a right, or rather of all who were bound to appear in parliament, which was called over at the firſt meeting of every ſeſſion. Anciently the records only bear, "That all who were able and willing to come "were preſent; that ſome who were abſent had "ſent excuſes; that others were abſent without

[113] Records, *paſſim*.

[114] Records, James III. A. D. 1478. Kames Eſſays, p. 58. 64, &c.

"excuſe; and that each of theſe laſt was fined 10 l. "for his contumacy;" but from A. D. 1478 downward, the names of all who were preſent are recorded [115].

Committees.

After the roll was call'd, the parliament proceeded to appoint three committees each compoſed of three members of each of the three eſtates. The firſt of theſe committees was called the committee *pro articulis adviſandis* (on the articles). The buſineſs of this committee was, to receive petitions, propoſals, and overtures, and to form ſuch of them as appeared worthy of attention into bills to be laid before parliament. This committee was afterwards called "The lords of the "articles," and became the ſubject of much political artifice and contention. The ſecond committee was called *ad judicia* (on judgments), and, like the former, conſiſted of three prelates, three barons, and three burgeſſes, who were to ſit as judges in all criminal proſecutions that were brought before parliament. The third committee was conſtituted in the ſame manner with the other two, and was called *ad cauſas* (on cauſes); its members ſat as judges in all civil cauſes that were brought into parliament by appeals from the inferior courts [116]. Theſe committees were evidently intended to diſpatch the buſineſs, and ſhorten the duration of parliaments; and they were well

[115] Records, *paſſim*. See a roll of parliament, A. D. 1487. Appendix.

[116] See the members of theſe three committees, A. D. 1478. Appendix.

adapted

adapted to anſwer that intention, as they comprehended the three great branches of parliamentary buſineſs; making new laws, and pronouncing judgment in the laſt reſort, in criminal and in civil cauſes. The committees on judgments and on cauſes were inveſted with parliamentary powers, which rendered their ſentences final; and the members of them took an oath to determine according to law and juſtice [117]. The appointment of theſe three committees finiſhed the tranſactions of the firſt day of every parliament; and thoſe members who were not on any of theſe committees were at liberty to diſpoſe of themſelves as they pleaſed, till matters were prepared for a ſecond meeting.

Ariſtocracy.

The conſtitution of the committees on the articles, judgments, and cauſes, had a great appearance of equity, and ſeemed to give an equal degree of power and influence to each of the three eſtates. But that appearance was quite deſtroyed by another law, that gave a ſeat and vote in each of theſe committees to all the lords of parliament who choſe to claim them, which threw the whole power into the hands of the ariſtocracy [118].

Second ſeſſion.

As ſoon as the committee on the articles had prepared their ſeveral bills, another meeting of the whole parliament was held, at which theſe bills were read, debated, and either paſſed or rejected; after which the parliament was adjourned or diſſolved [119]. When the committees on judgments

[117] James I. parl. 6. act 93.
[118] See Records.
[119] Records, *paſſim*.

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and cauſes had not finiſhed their buſineſs before this laſt meeting, their parliamentary powers were prolonged, till they had determined all the cauſes that had been committed to them[120]. By theſe contrivances, the ſeſſions of the parliaments of Scotland were rendered very ſhort, and ſeldom exceeded five or ſix days. The laſt ſeſſion of the laſt parliament of James III. ſat fifteen days, and was the longeſt I have met with in the records of this period[121].

Attempt to form two houſes.

James I. formed a deſign of dividing his parliament into two houſes, in imitation of that of England. With this view he obtained an act of his ſeventh parliament, A. D. 1427, containing the following clauſes:—"1. That the ſmall barronis "and free tennentis need not to come to parlia- "mentis, ſwa that of ilk ſheirifdome thair be ſend, "choſin at the heid court of the ſhiriefdome, twa "or maa wyſe men, after the largenes of the ſhe- "refdome, outane the ſherefdoms of Clackman- "nan and Kinroſſie, of quhilkes ane be ſend of ilk- "ane of thame, the quhilk ſall be callit *commiſſa- "ris of the ſhire*. 2. The quhilk commiſſaris ſal "have full and hail power of all the laif of the "ſherifdome, under the witneſſing of the ſhereffis "ſeill, with the ſeillies of divers barronis of the "ſhire, to heir and treit, and finally to determine "all cauſes to be proponit in counſal or parlia- "ment. 3. Be thir commiſſaris of all ſhires ſal "be choſen ane wyſe man and expert, callit the

[120] Records, *paſſim*. [121] See Records.

"commoun

" *commoun ſpeikar of the parliament*; the quhilk " ſall propone all and ſindrie neidis and cauſes " pertening to the commounis in the parliament. " 4. The commiſſaris and ſpeakaris ſal have coſt- " age of thame of ilk ſhire that aw comperance " in parliament[122]." This very remarkable act was evidently copied from the practices that prevailed in England, and was intended to eſtabliſh a houſe of commons in Scotland; but unhappily it was never carried into execution. Whether this was owing to the negligence of the ſmall freeholders, or to the oppoſition of the great lords, or to what other cauſe, we are not informed. By a ſubſequent law in the reign of James II. A. D. 1457, all freeholders who had not 20l. a-year were exempted from attending parliaments, but without any mention of repreſentation[123].

Courts of law.

The chief courts of law in Scotland, in this period, were not fixed to one place, like thoſe of England, but were ambulatory, and occaſionally held in all the different corners of the kingdom, for the accommodation of the lieges. The two committees of parliament already mentioned, called the committees on judgments and on cauſes, were in reality courts of law, and the higheſt courts of the kingdom, exerciſing that ſupreme and ultimate juriſdiction which is now exerciſed by the houſe of peers in the Britiſh parliament. Theſe committees or courts met at the ſame time and place with the parliaments, of which their judges were members.

[122] James I. parl. 7. a. 112.

[123] James II. act 8.

Seſſion. Another high court of law, called the *ſeſſion*, is often mentioned in the monuments of this period. This court had no ſtated eſtabliſhment, but was occaſionally conſtituted by parliament for a ſhort time, moſt commonly for one year. Parliament alſo named the judges, and appointed the times, places, and duration of the ſittings of this court. The judges were always nine in number, three prelates, three barons, and three burgeſſes, who had neither ſalaries nor perquiſites. The parliament, for example, at Edinburgh, in March A. D. 1457, appointed three ſeſſions to be held that year; one at Edinburgh, one at Perth, and one at Aberdeen, each to continue forty days; and named the judges in each of theſe ſeſſions, with the day when each ſeſſion was to begin[124]. The conſtitution of this court appears to have been very unſettled, and underwent various changes in the courſe of this period, which need not be mentioned[125].

Juſticiary. The office of juſticiary was one of the higheſt offices in the ſeveral kingdoms of Europe, in the middle ages. In England it was aboliſhed, or rather diſcontinued, becauſe the powers annexed to it were thought to be too great for a ſubject to poſſeſs. In Scotland it was kept up; and the juſticiar-general, in this period, was at the head of the law, and the chief diſpenſer of juſtice. This great officer, in perſon or by his deputies, held ju-

[124] Records, James II. acts 68, 69, 70.
[125] Records, James I. acts 72, 73, 74, 75.

ſtice-

ſtice-airs, as they were called, twice a-year, once in the ſpring, and once in autumn, in every county of the kingdom, at which the ſheriff with all the barons and freeholders of the county, were obliged to attend [116]. At theſe courts were exerciſed all that juriſdiction that is now exerciſed by the court of juſticiary at Edinburgh, and by the lords of juſticiary in their circuits.

Chamberlain.

The chamberlain was another great officer of the law in this period. His juriſdiction was in a great meaſure, if not altogether, confined to the royal boroughs of the kingdom, in which he held courts, called *chamberlain-airs*. To theſe courts the magiſtrates, as well as the inhabitants of boroughs, were amenable; and in them all complaints of the people againſt their magiſtrates, or of the magiſtrates againſt any of the people, or of one burgeſs againſt another, were heard and determined. In them alſo the chamberlain collected the royal revenues, regulated weights and meaſures, removed nuiſances, and in a word, took cogniſance of every thing reſpecting the police of the borough where the court was held [117].

Court of the four boroughs.

When any perſon thought himſelf injured by the ſentence of a particular chamberlain-court, he could not appeal either to the juſticiar-general, to the king in council, or even to parliament, but only to the court of the four boroughs, as it was

[116] James II. act 5.; James III. act 76. Regiam Majeſtatem, p. 300.

[117] Id. p. 281.

called,

called, which alone had authority to review the ſentences pronounced in the chamberlain-airs. The boroughs whoſe commiſſioners compoſed this ſupreme court, or little parliament, were anciently, Edinburgh, Stirling, Berwick, and Roxburgh; but after theſe two laſt fell into the hands of the Engliſh, Lanark and Linlithgow were ſubſtituted in their places. Each of theſe four boroughs were obliged by law "to ſend three or four of their "moſt diſcreet burgeſſes, having lawful commiſ- "ſion to compear perſonally before the chamber- "lain at Haddington, they being lawfully ſum- "moned to that effect; and there the right or the "wrong of the ſentences complained of ſhall be "diſcuſſed and determined by them. And it is "underſtood, that the deciſions of this court of "the four boroughs, aſſembled before the cham- "berlain, are as available among burgeſſes as if "they had been done in parliament[128]." The reaſon of this remarkable inſtitution (which was of great antiquity, and continued long) ſeems to have been this,—that burgeſſes were believed to be the beſt judges of all the diſputes and controverſies that aroſe among burghers.

Hereditary offices.

The ancient kings of Scotland not only diminiſhed the patrimony of the crown, by improvident grants of land, but they alſo diminiſhed its juſt powers and prerogatives, by imprudent grants of various powers, privileges, and juriſdictions, to their favourites, which rendered them too great for

[128] Regiam Majeſtatem, p. 267.

ſubjects,

ſubjects, and almoſt wholly independent. The lords of regalities, for example, had obtained ſo many exemptions, powers, and privileges, that they were in reality petty kings, and their territories petty kingdoms, locally ſituated within Scotland, but very little connected with it. Theſe lords had their officers of ſtate, their judges, and their courts, as well as the king; and in theſe courts they tried all manner of cauſes, and inflicted all manner of puniſhments; and, when they pleaſed, they pardoned the greateſt criminals [129]. The kings who reigned in this period ſaw and felt the evils ariſing from theſe little kings and little kingdoms included in their dominions, and earneſtly deſired to mitigate thoſe evils. With this view, James I. obtained ſeveral acts of parliament, to compel lords of regalities, and their officers, to execute the laws, and to enable the king to puniſh them for refuſing to do juſtice [130]. James II. proceeded ſtill further, and procured the two following wiſe and ſalutary laws, A. D. 1454: "1. That all regalities that "are now in the king's hands be annexed to the "royalty; and that in time to come there be no "regalities granted, without deliverance of the "parliament. 2. That there be no office, in time "to come, given in fee and heritage [131]." But theſe excellent laws were ſoon forgotten; and the hereditary powers and juriſdictions of barons and lords of regality continued to be a blemiſh in the

[129] See a pardon by the archbiſhop of St Andrew's, Appendix.
[130] James I. acts 104, 105.
[131] James II. acts 46, 47.

conſti-

conſtitution of Scotland for about three centuries after theſe laws were made.

The powers and juriſdictions of ſheriffs, and of the magiſtrates of boroughs, have undergone ſo few changes, and are ſo well known, that they need not be delienated.

THE

HISTORY

OF

GREAT BRITAIN.

BOOK V.

CHAP. IV.

History of Learning in Great Britain, from the accession of Henry IV. A. D. 1399, *to the accession of Henry* VII. A. D. 1485.

SECTION I.

State of Learning in Britain, from A. D. 1399 *to* A. D. 1485.

THE darkneſs of that long night of ignorance which overſhadowed Europe, from the fall of the weſtern empire to the revival of learning in the fifteenth century, was not equally profound at all times and in all places. In Britain particularly, ſome

Age of ignorance.

ſome gleams of light appeared at different times, as in the age of venerable Bede—of Alcuinus—of Alfred the great—and of friar Bacon [1]. But theſe gleams were neither very bright, nor of long duration; and as ſoon as the luminaries which produced them were extinguiſhed, the former darkneſs returned. This is ſo true, that the preſent period, though it immediately preceded the revival of learning, was, in Britain, one of the darkeſt, and furniſhes fewer materials for literary hiſtory than any former period; for which reaſon, a very brief delineation of it in this place will be ſufficient. No art or induſtry could render a long, minute detail of the learning of an illiterate people, in a dark age, inſtructive or entertaining.

Greeks in Italy.

As the decline and fall of the weſtern empire were the chief cauſes of the decline and almoſt extinction of learning in all the countries which had compoſed that empire; ſo the decline and fall of the empire of the eaſt proved the chief cauſes of the revival of learning in the weſt. For when the diſſolution of that empire viſibly approached, ſeveral learned Greeks retired into Italy, to avoid impending ruin; and when its capital, Conſtantinople, was taken by the Turks, A. D. 1453, a much greater number fled into the ſame country. There theſe learned exiles met with a kind reception; and, under the patronage of the Roman pontiffs, and the princes of the illuſtrious houſe of Medici, they taught the language and philoſophy

[1] See vol. 4. p. 25—59; vol. 6. c. 4. vol. 8. c. 4. § 2.

of

of the Greeks with great ſucceſs. It will be a ſufficient proof of this to mention the names of a few of their diſciples, as Dante, Boccace, Petrarch, Politian, Laurentius Valla, Agricola, John Pecus Mirandula, and Marſilius Fecinus, who were the firſt reſtorers of uſeful and polite learning in the weſtern world [2].

But the progreſs of reviving ſcience was very ſlow, and for the greateſt part of the fifteenth century was almoſt wholly confined to Italy. Rodolphus Agricola, being by birth a German, after he had ſtudied ſeveral years under Theodorus Gaza, one of the moſt learned of the Greek exiles, returned into his native country A. D. 1482; where he ſpent the laſt years of his life in the moſt ſtrenuous endeavours to inſpire his countrymen with a taſte for the Greek learning [3]. But none of thoſe learned exiles, or even of their diſciples, viſited Britain in this period, if we except one Cornelius Vitellius, an Italian, who read lectures in New-College at Oxford, and was (according to Polidore Virgil) the firſt perſon who taught good letters in that univerſity [4]. The effect of theſe lectures, however, if they produced any, muſt have been very tranſient, as that new and better taſte in the ſtudy of letters, which had ſo long prevailed in Italy, was little known or regarded in Britain till the beginning of the ſixteenth century. Not in Britain.

[2] Brucker Hiſt. Philoſoph. tom. 4. cap. 1, 2.
[3] Id. ibid. cap. 1. p. 34—38.
[4] Polyd. Virgil, Hiſt. Ang. p. 600.

Beſides

Cauſes of ignorance in Britain.

Beſides the general cauſes of the decline of learning in Europe, in the middle ages, which have been already mentioned in this work, there were ſome particular ones which increaſed that evil in Britain and ſome other countries in this period.

Wars.

The diſtracted unſettled ſtate of Britain, France, and ſome other countries, torn by the moſt furious factions, and kept in continual agitation by wars and revolutions, proved one of the greateſt obſtructions to the revival and progreſs of learning. For the wars of thoſe times were not carried on by ſtanding armies, as at preſent, while the reſt of the people purſue their ſeveral occupations in tranquillity; but perſons of all ranks, the clergy not excepted, were called into the field. Even the univerſities and ſeats of learning were frequently ſcenes of the moſt violent diſcord, and their ſtreets were ſometimes ſtained with blood [s].

Learning not valued.

If learning was not deſpiſed in this period, it was certainly very little eſteemed or honoured; nor was it the moſt effectual means of procuring preferment even in the church. We meet with frequent complaints of the univerſities of Oxford and Cambridge to parliament—that all the moſt valuable livings were beſtowed on illiterate men or foreigners, by papal proviſions, by which private patrons were deprived of their rights, and the beſt ſcholars in the kingdom were left to languiſh in indigence [illegible], nay, were ſometimes

[s] Wood Ant. Univ. Oxon. Lupton Hiſt. Univer. Paris.

driven

driven to the neceſſity of begging their bread from door to door, recommended to charity by the chancellors of the univerſities in which they had ſtudied [6].

Example. Two of theſe learned mendicants, we are told, came to the caſtle of a certain nobleman, who underſtanding from their credentials that they had a taſte for poetry, commanded his ſervants to take them to a well, to put one into the one bucket, and the other into the other bucket, and let them down alternately into the water, and to continue that exerciſe till each of them had made a couplet of verſes on his bucket. After they had endured this diſcipline for a conſiderable time, to the great entertainment of the baron and his company, they made their verſes, and obtained their liberty [7].

Not rewarded. It was a further diſcouragement to the purſuit of learning in thoſe unhappy times, that as the poſſeſſion of it did not promote, ſo the total want of it did not prevent, preferment; and thoſe who had powerful friends, or much money, though ignorant or profligate in the extreme, were loaded with dignities and benefices. "I knew (ſaid doctor "Thomas Gaſcoigne, chancellor of Oxford, A. D. "1443) a certain illiterate ideot, the ſon of a "mad knight, who, for being the companion, or "rather the fool of the ſons of a certain [illegible] of "the royal blood, was made archdeacon of Ox-

[6] Ant. Wood. Hiſt. Univer. Oxon. an. 1460, 3d an. 1455.
[7] Id. p. 425.

" ford before he was eighteen years of age; and " ſoon after obtained two rich rectories and twelve " prebends. I aſked him one day what he thought " of learning. As for learning, ſaid he, I de- " ſpiſe it. I have better livings than any of you " great doctors, and I believe as much as any of " you. What do you believe? I believe, ſaid he, " that there are three Gods in one perſon, I be- " lieve all that God believes[8]."

Schiſm in the church.

The long ſchiſm in the papacy, from A. D. 1379 to A. D. 1449, was no ſmall obſtruction to the progreſs of real learning and uſeful knowledge[9]. Thoſe who live in an enlightened age and reformed country, can form no conception of the conſternation into which that event threw the whole Chriſtian world, and how much it engroſſed the attention of kings, princes, prelates, univerſities, ſcholars, and people of all ranks. At a time when it was generally believed that the pope was the ſole head of the church, the only vicegerent of Chriſt on earth, and had the cuſtody of the keys of the kingdom of heaven, the perplexity of all good catholics could not but be very great, when they ſaw firſt two and then three popes, each aſſerting, with equal confidence, that he was the only true pope; that his rivals were pretenders, uſurpers, ſchiſmatics, and heretics; and that they and their adherents would certainly go to the devil. Colleges, univerſities, and men of learning, neg-

[8] Ant Wood. Hiſt. Univer. Oxon. p. 220.
[9] Du Pin. Cent. XIV. c. 4. Cent. XV. c. 3.

lecting their uſual ſtudies, engaged with ardour in this intereſting, controverſy, which threatened the deſtruction of the church. Several councils were called by the contending pontiffs, to which the principal prelates and greateſt doctors of the different parties crowded, and ſpent many years in public wrangling and private caballing, to very little purpoſe [10].

Scarcity of books.

The great ſcarcity and high price of books ſtill continued to obſtruct the progreſs of learning. None but great kings, princes and prelates, univerſities and monaſteries, could have libraries; and the libraries of the greateſt kings were not equal to thoſe of many private gentlemen or country-clergymen in the preſent age. The royal library of France, which had been collected by Charles V. VI. and VII. and kept with great care in one of the towers of the Louvre, conſiſted of about 900 volumes, and was purchaſed by the duke of Bedford, A. D. 1425, for 1200 livres [11]. From a catalogue of that library, ſtill extant, it appears to have been chiefly compoſed of legends, hiſtories, romances, and books on aſtrology, geomancy, and chiromancy, which were the favourite ſtudies of thoſe times [12]. The kings of England were not ſo well provided in books. Henry V. who had a taſte for reading, borrowed ſeveral books, which were claimed by their owners after his death. The

[10] Du Pin, Cent. XIV. c. 4. Cent. XV. c. 3.

[11] Tableau hiſtorique de la Bibliotheque du Roy, p. 6—13.

[12] Hiſtorie de l'Academie Royale, 8vo, tom. 1. p. 385—395; tom. 4. p. 446.

counteſs of Weſtmoreland preſented a petition to the privy council, A. D. 1424, repreſenting, that the late king had borrowed a book from her, containing the Chronicles of Jeruſalem, and the expedition of Godfrey of Boulogne, and praying that an order might be given under the privy ſeal for the reſtoration of the ſaid book; which was granted with great formality[13]. About the ſame time, John, the prior of Chriſt-church, Canterbury, preſented a ſimilar petition to the privy council, ſetting forth that the late king had borrowed from his priory a volume containing the works of St. Gregory; that he had never returned it; but that in his teſtament he had directed it to be reſtored; notwithſtanding which, the prior of Shine, who had the book, refuſed to give it up. The council, after mature deliberation, commanded a precept under the privy ſeal to be ſent to the prior of Shine, requiring him to deliver up the book, or to appear before the council, to give the reaſons of his refuſal[14]. Theſe facts ſufficiently prove, that it muſt have then been very difficult, or rather impoſſible, for the generality of ſcholars to procure a competent number of books. The noble and moſt uſeful art of printing, it is true, was invented in the courſe of this period, and practiſed in England before the end of it; but as yet it had contributed very little to increaſe the number, or diminiſh the price of books.

[13] Rym. Fœd. tom. 10. p. 317. [14] Id. ibid.

One

Bad taſte.

One of the moſt obvious defects in all the authors of this period, is a total want of taſte. This appears both in their language and ſentiments almoſt in every page. The truth is, the art of criticiſm ſeems to have been quite unknown and neglected; and the generality of writers appear to have had no idea of purity of ſtyle, or propriety of ſentiment; but contented themſelves with clothing ſuch thoughts as occurred, in the moſt common and vulgar language, without much regard even to the rules of grammar. When they attempted to be pathetic or ſublime (as they ſometimes did), they never failed to run into the moſt extravagant bombaſt. Of this the reader will meet with an example, in a deſcription of the battle of Agincourt, by turning to the Appendix, No. 1.

Sciences not increaſed.

The arts and ſciences that were cultivated in Britain in the middle ages, have been enumerated in the preceding volumes of this work; and I know of no addition that was made to the number of them in the preſent period[15]. A very brief delineation, therefore, of ſuch changes as took place in any of theſe ſciences, though generally for the worſe, will here be ſufficient.

Latin.

Though the Latin language was ſtill generally uſed by divines, lawyers, philoſophers, hiſtorians, phyſicians, and even poets, in their writings, and in all public and private deeds of any importance; yet the knowledge of that language appears plainly to have declined in this period. Venerable Bede,

[15] See vol. 6. ch. 4. § 1.; vol. 8. ch. 4. § 1.

Alcuinus, Roger Bacon, Joſeph Iſcanus, John of Saliſbury, Peter of Blois, &c. were pure and claſſical writers, in compariſon of thoſe who flouriſhed in that part of the fifteenth century which is the ſubject of this book. Theſe laſt paid very little regard to the peculiar idiom of the language, and thought they had written very good Latin when they had clothed Engliſh phraſes in Latin words. Sometimes they could not even accompliſh this: and when they could not find a Latin word to anſwer their purpoſe, they Latiniſed an Engliſh one. Thus William of Wyrceſter tells us, that the duke of York returned from Ireland, "et arrivavit "apud Redbanke prope Ceſtriam," (and arrived at Redbank near Cheſter); and John Rous, the antiquarian of Warwick, ſays, that Thomas Grey, marquis of Dorſet, ſon to queen Eliſabeth, widow of Edward IV. and ſir Thomas Grey, her brother, were obliged to fly, "quod ipſi contraviſſent mor-"tem ducis protectoris Angliæ," (becauſe they had contrived the death of the duke, protector of England [16]). It muſt not, however, be imagined, that the Latin ſtyle of all the Britiſh writers of this period was equally barbarous; that of Thomas Walſingham, and a few others, was leſs exceptionable, though far from being claſſical.

Greek. While the Greek language was ſtudied with great aſſiduity and ſucceſs in Italy, it was almoſt quite neglected and unknown in Britain, and even in France, in this period. The famous Grocyne,

[16] W. Wyrceſter, p. 483. J. Roſſe Hiſt. p. 213.

one

one of the firſt revivers of learning in England, left his country, at the age of forty-ſix, A. D. 1488, and travelled into Italy, to ſtudy the Greek language, under Chalcondilas, one of the eaſtern refugees; which is a ſufficient proof, that the knowledge of that language could not then be acquired in Britain [17]. There was not ſo much as one Greek book in the library of the kings of France mentioned above; and it was not till A. D. 1470 that ſome of the eaſtern exiles began to teach Greek in the Univerſity of Paris, where it was then (ſays the hiſtorian) almoſt quite unknown [18].

There were lectures on rhetoric read in the univerſities of England in this period; but that art coulſt not poſſibly flouriſh, when the learned languages were ſo ill underſtood, and the modern languages ſo imperfect [19]. Rhetoric.

It would be improper to ſpend any time in delineating the ſtate of that ſcholaſtic philoſophy and theology which ſtill reigned in all the ſeats of learning, and in the ſtudy of which ſo much time was miſpent by ſo many ingenious men. But even in that line, few or none made any diſtinguiſhed figure; and we hear of no irrefragable or angelic doctors who flouriſhed in this period. About the middle of it, indeed (A. D. 1445), a kind of literary prodigy, we are told, appeared at Literary prodigy

[17] A. Wood, Athen. Oxon. vol. 1. col. 15.

[18] Memoires de Literature, tom. 4. p. 463. 8vo.

[19] Bulæi Hiſt. Univer. Pariſ. tom. 5. p. 692. Wood Hiſt. Univ. Oxon. lib. 2. p. 4.

Paris, and defeated all the doctors of that univerſity at diſputation. His name was Ferrand of Corduba in Spain; and though he was only twenty years of age, he was a doctor in all the four faculties, of arts, laws, medicine, and divinity. He was a perfect maſter, not only of the whole Bible, but alſo of the works of Nicolas de Lyra, Thomas Aquinas, John Hales, John Duns Scotus, Bonaventure, and other divines, and of the decretals, and other books on the civil and canon law; as likewiſe of the writings of Ariſtotle, Hippocrates, Avicenna, Galen, Albert the great, and other phyſicians. He underſtood and wrote Latin, Greek, Hebrew, and Arabic; excelled all illuminators, painters, and muſicians, in their reſpective arts; was knighted for his dexterity in the uſe of arms; and foretold future events by his ſkill in aſtrology. The Pariſian doctors differed in their opinions of this extraordinary perſon, ſome aſſerting that he was a magician, and full of the devil, others affirming that he was antichriſt [20]. It is not improbable that this young man was poſſeſſed of a very extraordinary memory, a facility of acquiring languages, and other accompliſhments ſuperior to his years; but great abatements muſt be made in the above deſcription to entitle it to credit.

Medicine. Though medicine was now taught and ſtudied in every univerſity, the knowledge of it was rather

[20] Paſquier, Recherches de la France, p. 579, 580. Bulæi Hiſt. Univer. Pariſien. tom. 5. p. 534.

dimi-

diminiſhed than increaſed in this period. Dr. Freind, the learned hiſtorian of phyſic, could not find ſo much as one phyſician in England, in thoſe times, who deſerved to be remembered, or whoſe works merited any attention. Dr. Gilbert Kymer, phyſician to Humphrey duke of Glouceſter, compoſed a medical work, called *Dietarium de ſanitatis cuſtodia* (A Dietary for the Preſervation of Health), which is ſtill extant. It conſiſts of twenty-ſix chapters, the third and nineteenth of which have been printed, and contain ſeveral curious things, and ſome very ſalutary advices to the duke of Glouceſter, on a very delicate ſubject [21]. Dr. John Fauceby, phyſician to Henry VI. pretended to be an adept in the occult ſciences, and obtained a commiſſion from that king to diſcover an univerſal medicine, called *the elixir of life*, for the cure of all diſeaſes, wounds, and fractures, and for prolonging life, health, and ſtrength of body, and vigour of mind, to the greateſt poſſible extent of time [22]. We have no account of the ſucceſs of this undertaking. The learned reader may ſee a very full enumeration of the medicines, and medical operations, uſed by the phyſicians and ſurgeons of this period, in the note below, as they are mentioned in a commiſſion granted to the three phyſicians and two ſurgeons appointed to attend Henry VI. in that ſevere illneſs with which he was ſeized A. D. 1454 [23].

An

[21] Wyrceſter, p. 548—568.

[22] Rym. Fœd. tom. 11. p. 379.

[23] In regime medicinalium libere nobis poſſitis miniſtrare electuaria, portiones, aquas, ſirupos, confectiones, laxativas medicinas, cliſteria,

Sweating ſickneſs.

An unknown and very violent diſeaſe appeared in England towards the end of this period. It was called the *ſweating ſickneſs*. In London it carried off two mayors, five aldermen, many other perſons of rank and opulence, with a prodigious multitude of the people. It commonly killed thoſe who were ſeized with it in ſeven or eight hours; and thoſe who ſurvived twenty-four hours generally recovered [24]. It was one of the moſt ſingular circumſtances of this diſeaſe, that Engliſhmen reſiding in foreign countries, it is ſaid, were ſeized with it at the ſame time, while foreigners reſiding in England eſcaped [25]. Its ſymptoms were alarming from the firſt moment, ſuch as, burning heat, exceſſive ſickneſs, headach, delirium, unquenchable thirſt, vehement pulſe, and labouring breath. The phyſicians had neither ſkill nor preſence of mind to adminiſter much relief to their afflicted patients. This dreadful diſtemper firſt viſited England A. D. 1483, and repeated its viſitations, in the following years, viz. 1485, 1506, 1517, 1528, and laſt of all in 1551 [26].

Surgery.

In thoſe martial times, when the people of Britain were almoſt conſtantly engaged in war, we might imagine that the very uſeful art of ſurgery would be diligently ſtudied and well underſtood.

cliſteria, ſuppoſitoria, caputpurgia, gargariſmata, balnia, epithimata, fomentationes, embrocationes, capitis raſuram, unctiones, emplaſtra, cerota, ventoſas cum ſcarificatione vel ſine, emeroidarum provocationes. Rym. Fœd. tom. 11. p. 347.

[24] Continuatio Hiſt. Croyl. p 570.

[25] Freind's H.ſt. Phyſ. vol. 2. p. 335. [26] Id. ibid.

But

But this was not the caſe. Anatomy, without a competent knowledge of which no man can be a ſkilful ſurgeon, was not merely neglected, but abominated as a barbarous violation of the remains of the dead. The number of ſurgeons in England was very ſmall, and few of them were famous, or much reſpected for their ſkill. When Henry V. invaded France, A. D. 1415, with a great fleet and army, he carried with him only one ſurgeon, Thomas Morſtede, who engaged to bring in his company fifteen perſons, twelve of them of his own profeſſion, and three of them archers; Morſtede was to have the pay of a man at arms, and his twelve aſſiſtants the ſame pay with common archers [27]. The ſame prince found it ſtill more difficult to procure a competent number of ſurgeons to attend his army in his ſecond expedition into France, and was obliged to grant a warrant to the ſame Thomas Morſtede, to preſs as many ſurgeons as he thought neceſſary into the ſervice, with artiſts to make their inſtruments [28]. In theſe circumſtances, there can be no doubt that many loſt their lives for want of proper aſſiſtance in their diſtreſs. That heroic prince Henry V. himſelf, it is highly probable, fell a ſacrifice to the ignorance of his medical attendants.

The operation of lithotomy for extracting the ſtone was not unknown to the ancients, but ſeems to have been diſuſed in the middle ages, and was revived again at Paris A. D. 1474. An archer Lithotomy.

[27] Rym. Fœd. tom. 9. p. 237. [28] Id. ibid. p. 363.

who

who was tormented with the ſtone, being condemned to be hanged for robbery, the phyſicians and ſurgeons of Paris repreſented to the king, that many of his ſubjects were afflicted with that painful diſtemper for which they could find no remedy, and prayed that they might be permitted to try the operation of extracting the ſtone upon the condemned criminal. Their petition was granted: the ſtone was extracted, and the patient recovered; which encouraged others to ſubmit to the operation [29]. But I have not met with any evidence that this operation was performed in England in the preſent period: for the circulation of literary intelligence was then ſlow, which formed one obſtruction, amongſt many others, to the progreſs of learning.

Mathematics.

The mathemetical ſciences were not wholly neglected in the darkeſt ages; but they were cultivated with little ſucceſs, and with improper views. Aſtrology was ſo much the ſtudy of the mathematicians of thoſe times, that mathematician and aſtrologer were ſynonymous terms [30]. The pretenders to that fallacious ſcience were loaded with honours and rewards; and in the preceding century, the wiſeſt princes in Europe paid more regard to the reſponſes of their aſtrologers than to the counſels of their miniſters [31]. But aſtrologers began to ſink in their credit in the courſe of this period, ſome deſpiſing them as impoſtors, and others deteſting

[29] Monſtrelet, an. 1474. Villar. tom. 18. p. 224.

[30] Du Cange, voc. Mathematicus.

[31] Memoires de Literature, tom. 4. p. 466, &c. 8vo.

them

them as magicians, while too many ſtill revered them as men of the moſt conſummate learning and wiſdom. One Arnold de Mareſts, an aſtronomer, publiſhed a book on Aſtrology in France, A. D. 1466, which made a mighty noiſe. The king ſent the book to the univerſity of Paris, requiring that learned body to examine it, and report their opinion. The univerſity appointed certain deputies out of each of the four nations to examine this work; who reported—"That it contained many "ſuperſtitions, many conjurations, many manifeſt "and horrible invocations of the devil, with ſeve-"ral latent hereſies and idolatries [32]." In England there was a board of commiſſioners, conſiſting of ſeveral doctors, notaries and clerks, for diſcovering and apprehending magicians, enchanters, and ſorcerers, probably comprehending aſtrologers [33]. When theſe commiſſioners had diſcovered one of theſe offenders, they procured a warrant from the king for apprehending him with all his apparatus. It was by virtue of ſuch a warrant that Thomas Northfield, profeſſor of divinity and ſorcerer, was apprehended at Worceſter, A. D. 1432, with all his books and inſtruments [34].

Alchymy.

The ſcience or art of alchymy, which pretended to produce a remedy for all diſeaſes, and to tranſubſtantiate the baſer metals into the pureſt gold and ſilver, was more encouraged by government in the reign of Henry VI. than any other art or ſcience. In that reign we find many protections

[32] Bulæi Hiſt. Univ. Pariſ. tom. 5. p. 678.
[33] Rym. Fœd. tom. 10. p. 352.
[34] Id. ibid. p. 504.

given

given to different alchymiſts, to ſecure them from the penalty in an act of parliament made A. D. 1403, and from the fury of the people, who believed that they were aſſiſted in their operations by infernal ſpirits[35]. As theſe royal protections contain the ſentiments entertained by that king and his miniſters on this ſubject, it may not be improper to inſert here a tranſlation of the moſt material part of one of them. "Ancient ſages and moſt "famous philoſophers have taught, in their books "and writings, under figures and emblems, that "many notable and moſt glorious medicines may "be extracted from wine, precious ſtones, oils, "vegetables, animals, metals, and ſemimetals; "and particularly a certain moſt precious medi- "cine, which ſome philoſophers have named the "Mother and Queen of Medicines, ſome the In- "eſtimable Glory, others the Quinteſſence, others "the Philoſophers Stone, and others the Elixir of "Life. The virtue of this medicine is ſo admir- "able and efficacious, that it cures all curable diſ- "eaſes with eaſe, prolongs human life to its ut- "moſt term, and wonderfully preſerves man in "health and ſtrength of body, and in the full poſ- "ſeſſion of his memory, and of all the powers and "faculties of his mind. It heals all curable "wounds without difficulty, is a moſt ſovereign "antidote againſt all poiſons, and is capable of "procuring to us and our kingdom other great

[35] Statutes, 5th Hen. IV. c. 4. Rym. Fœd. tom. 11. p. 68. 240. 309. 379.

"advan-

" advantages, ſuch as the tranſmutation of other
" metals into real and fine gold and ſilver.

" We frequently revolve in our mind, by long
" and ſerious meditation, how delectable, and pro-
" fitable it would be to us and our dominions, if
" this precious medicine could be diſcovered by
" the bleſſing of God on the labours of learned
" men; and alſo how that few or none, in former
" times, have attained to the true method of mak-
" ing this moſt glorious medicine, partly owing to
" the difficulties attending the operation, but chief-
" ly becauſe the moſt learned men have been, and
" ſtill are diſcouraged and deterred from the un-
" dertaking, by the fear of incurring the penalties
" in a certain law made in the reign of our grand-
" father Henry IV. againſt alchymiſts.

" Wherefore it ſeems right and expedient to us
" to provide, ſelect, and appoint certain ingenious
" men ſufficiently ſkilled in the natural ſciences,
" well inclined and diſpoſed to attempt the diſco-
" very of the foreſaid medicine, who fear God,
" love truth, and hate all deceitful, fallacious,
" metallic tinctures; and by our authority and
" prerogative royal to provide ſufficiently for the
" quiet, ſafety, and indemnity of theſe men, that
" they may not be diſturbed or injured in their per-
" ſons or goods, while they are engaged in this
" work, or after they have finiſhed their labours.

" We therefore, confiding in the fidelity, cir-
" cumſpection, profound learning, and extraordi-
" nary ſkill in the natural ſciences, of theſe famous
" men John Fauceby, John Kirkeby, and John

" Rayny, elect, aſſign, nominate and licenſe all " and each of them, and of our certain knowledge, " and by our authority and prerogati ve royal, we, " by theſe preſents, grant to all and each of " them, liberty, warrant, power, and authority, " to inquire, inveſtigate, begin, proſecute, and " perfect the foreſaid medicine, according to their " own diſcretion, and the precepts of ancient ſages, " as alſo to tranſubſtantiate other metals into true " gold and ſilver; the above ſtatute, or any other " ſtatute, to the contrary notwithſtanding. Fur- " ther, we hereby take the ſaid John, John, and " John, with all their ſervants and aſſiſtants, into " our ſpecial tuition and protection [36]." This curious commiſſion was confirmed by parliament 31ſt May A. D. 1456.

Ignorance of the people.

When learning was in ſo low a ſtate among thoſe of high rank and learned profeſſions, we may conclude that the common people were totally illiterate. It was not till the reign of Henry IV. that villains, farmers, and mechanics, were permitted by law to put their children to ſchool [37]; and long after that, they dared not to educate a ſon for the church, without a licence from their lord. But it ſeems to be quite unneceſſary to follow the faint traces of learning any further in this benighted period.

[36] Rym. Fœd. tom. 11. p. 379.
[37] Statutes 7th Hen. IV. chap. 17.

SECTION II.

Hiſtory of the learned Men who flouriſhed in Britain, from A. D. 1399 *to* A. D. 1485.

Few learned men.

AFTER the account that hath been given of the ſtate of learning in Britain in this period, we cannot expect to find many perſons in it ſo eminent for their genius and erudition as to merit a place in the general hiſtory of their country. If many ſuch perſons had then exiſted, they would have diſpelled, in ſome degree, that profound darkneſs in which their country was involved [1]. It is true, that Leland, Bale, Pits, Cave, and Tanner, the writers of our literary hiſtory, give us the names of many authors who flouriſhed in this period, with the titles of their works, and aſſure us, according to their cuſtom, that they were all wonderfully learned. But theſe boaſted authors were, for the moſt part, obſcure monks, knaviſh or deluded alchymiſts or aſtrologers, whoſe works have deſervedly ſunk into oblivion; nor have I been able to diſcover ſo much as one divine, philoſopher, or phyſician in Britain, in thoſe times, who did honour to his country by his writings. It would

[1] It is a ſtrong preſumptive proof of the truth of that account given in the preceding ſection, of the declining ſtate of learning in this period, and of the paucity of learned men who flouriſhed in it, that it hath afforded the very well informed and induſtrious authors of *Biographia Britannica* only four or five articles; and theſe, except two, the moſt inſignificant in that valuable work.

be eaſy to fill many pages with the hiſtory of many writers who enjoyed, perhaps, ſome little pre-eminence in their own times, whoſe names and writings are now as little regarded as if they had never been; but as this could anſwer no good purpoſe, it ſhall be omitted [2].

Hiſtorians. Our hiſtorians in this period were not better or more elegant writers than our divines, philoſophers, and phyſicians; but as they have recorded many curious and important facts, in the beſt manner they could, they have deſerved well of their country, and merit ſome attention. Mr. William Caxton, who was more famous as a printer than as a writer, gives this reaſon for his writing a continuation of Higden's Polycronicon, from A. D. 1357 to A. D. 1460: "Becauſe mennes wyles in this tyme ben "oblyvious and lyhtly forgetten many thyngys "dygne to be put in memorye; and alſo there "cannot be foundin in theſe days but few that "wryte in theyr regyſters ſuche thyngis as daily "happen and falle [3]."

Walſingham. Thomas Walſingham, a monk in the abbey of St. Alban's, was unqueſtionably the beſt of our hiſtorians in this period. His ſtyle is indeed, according to his own confeſſion, rude and unpoliſhed; and he relates many ridiculous ſtories of viſions, miracles, and portents: but this was the vice of the age rather than of the man, and muſt be forgiven to him and others. His narrative is far

[2] See Leland, Bale, Pits, Cave, Tanner, Wartons Anglia Sacra, Godwin de Præſulibus Anglie. [3] Ames's Typography, p. 31, 35.

more

more full, circumſtantial, and ſatisfactory, than that of the other annaliſts of thoſe times, and contains many things nowhere elſe to be found. He compiled two hiſtorical works of conſiderable length. The one he intitled, "A Hiſtory of England," beginning at the 57th Henry III. A. D. 1273, and concluding with an account of the ſplendid funeral of Henry V. and the appointment of Humphrey duke of Glouceſter to the regency of England. To the other he gave the whimſical name of "Ypodigma Neuſtriæ," which is a hiſtory of Normandy (anciently called Neuſtria,) interſperſed with the affairs of England from the beginning of the tenth century to A. D. 1418. In the dedication of this work to Henry V. he tells that prince, that when he reflected on the cunning intrigues, frauds, and breaches of treaties in his enemies the French, he was tormented with fears that they would deceive him; and had compoſed that work, which contained many examples of their perfidy, to put him upon his guard *.

Thomas Otterbourne, a Franciſcan friar, compoſed a hiſtory of England, from the landing of Brutus the Trojan to A. D. 1420. It is extracted, as he acknowledges, from former hiſtorians, as Jeoffrey of Monmouth, Venerable Bede, William of Malmſbury, Henry of Huntington, Roger Hoveden, and Higden's Polycronicon, for the benefit of thoſe who could not procure an opportunity of peruſing their works. It is certainly not a maſterly Otterbourne.

* See Camdine Anglica, Normannica, &c. p. 43—592.

performance; and yet it ought to be conſulted, and affords ſome uſeful information in the hiſtory of his own times [5].

Whethamſtede. John Whethamſtede, abbot of St. Alban's, wrote a chronicle of twenty years of this period, beginning A. D. 1441, and ending A. D. 1461. It contains many original papers, and gives a very full account of ſome events, particularly of the two battles of St. Alban's. More than one half of his chronicle is filled with the affairs of his own abbey, to which he was a great benefactor. The moſt remarkable circumſtance in the perſonal hiſtory of this writer, is his longevity. He was ordained a prieſt A. D. 1382, and died A. D. 1464, when he had been eighty-two years in prieſt's orders, and above 100 years of age [6].

Elmham. Thomas de Elmham, prior of Linton, wrote a copious hiſtory of the life and reign of Henry V. in a very inflated and diſguſting ſtyle. But as he was the contemporary of that great prince, and had his information from perſons of rank and honour, who were eye-witneſſes of moſt of the events which he relates, his work is valuable [7].

Titus Livius. The hiſtory of Henry V. was alſo written by one who took the name of Titus Livius, and whoſe real name is not known. He was an Italian by birth; and not meeting with proper encouragement in his own country, he came into England, and put himſelf under the protection of Humphrey

[5] T. Otterbourne Hiſt. a T. Hearn edit. Oxon. 1732.
[6] Id. in præfat. tom. 1. 57, 58. tom. 2.
[7] Th. de Elmham, Vita Hen. V. a T. Hearn edit. Oxon. 1727.

duke

duke of Glouceſter, that munificent patron of learned men, who made him his poet laureat, and perſuaded him to write the hiſtory of the late king, his brother. His work is a free judicious epitome of the above hiſtory of Thomas de Elmham, leaving out ſome things, and adding others. In his ſtyle, he was a profeſſed, but very unſucceſsful, imitator of the great Roman hiſtorian whoſe name he aſſumed [s].

William Bottoner, better known by the name of William of Wyrceſter, was born at Briſtol, and educated at Harts-hall, Oxford, were he was ſupported by the famous warrior ſir John Falſtolf, to whom he became a retainer. Our literary hiſtorians, who copy one another, tell us, that he was a good mathematician, an expert phyſician, a great coſmographer, and a famous hiſtorian. If he deſerved the other characters no better than the laſt, they were beſtowed upon him very improperly. He wrote Meagre annals of England, from A. D. 1324 to A. D. 1468, in a moſt barbarous ſtyle; but as they contain ſome things that are not to be found in any other work, they are of ſome value, and muſt be conſulted. Botton.

John Rous, the antiquary of Warwick, is celebrated by our literary hiſtorians, as a man of immenſe learning, and indefatigable induſtry in collecting materials for a hiſtory of the kings of England [t]. But when we peruſe the work, how greatly John Rous.

[s] Titi Livii Vita Hen. V. a T. Hearn edit. Oxon. 1716.
[t] Leland, p. 473. Tanner, p. 643

are we diſappointed? his language is incorrect and barbarous, his credulity childiſh, his digreſſions long and frequent, and his narrations of the moſt important events ſhort and unſatisfactory. He begins his hiſtory at the creation, and tells us, amongſt other extraordinary things, that Moſes mentions only one antediluvian city, which was built by Cain and called by him *Enoch*, in honour of Enoch, his eldeſt ſon; but that the famous man Bernard de Breydenbach, dean of Mentz, writes, that there were eight noble cities built before the flood; and he tells this ſtory in ſuch a manner as to convince us, that he gave as much credit to Bernard de Breydenbach as to Moſes [10]. But notwithſtanding all its imperfections, this work of John Rous is of conſiderable uſe, as he incidentally mentions many curious particulars concerning the ſtate of England, and the manners of its inhabitants, in his own times. He died in a very advanced age, A. D. 1491.

Fabian. All the authors above mentioned wrote in Latin; but Robert Fabian, a merchant and alderman of London, wrote a chronicle of England and France, called, *The concordance of ſtories*, in the Engliſh of his age, which is very intelligible. It is divided into ſeven parts, the firſt beginning at the arrival of Brutus, and the laſt ending at the 20th Henry VII. A. D. 1504. The hiſtories of England and France are intermixed, but given in diſtinct chapters. This work is valuable for the

[10] J. Roſſi Hiſtoria Regum Anglorum, p. 1.

plainneſs

plainneſs and ſincerity with which it is written; for the liſts, firſt of the bailiffs, and afterwards of the mayors and ſheriffs of London; and for many other particulars relating to that great city [11].

Some other chroniclers lived and wrote in this period, particularly John Harding and William Caxton, whoſe works have been printed; but thoſe who expect much information or amuſement in the peruſal of them will be diſappointed. The writers and lovers of Engliſh hiſtory are much more indebted to the labours of three French gentlemen, ſir John Froiſſart, Philip de Comines, lord of Argenton, and Denguerran de Monſtrelet, who give more full and circumſtantial relations of many tranſactions than any of our own contemporary hiſtorians. Other hiſtorians.

Though the law-colleges in London, commonly called the *inns of court and chancery*, were crowded with ſtudents of law in this period, few gentlemen of that profeſſion made a diſtinguiſhed figure as authors, if we except ſir Thomas Littleton and ſir John Forteſcue, who have merited a place in the hiſtory of their country by their learned labours. Lawyers.

Sir Thomas Littleton, deſcended of an ancient and honourable family in the county of Worceſter, when of a proper age, and duly qualified, became a ſtudent of law in the inner temple [12]. After he had been ſome time at the bar, and his abilities

[11] Fabian's Chronicle, printed by W. Raſtall, 1533.
[12] Forteſcue de Laudibus Legum Angliæ, ch. 49.

were known, he was promoted firſt, to be judge of the marſhalſea court, made king's ſergeant and juſtice of aſſize, A. D. 1455, and one of the judges of the court of common pleas, A. D. 1466, having conducted himſelf with ſo much moderation and prudence in thoſe difficult times, as to poſſeſs the favour of the contending families of Lancaſter and York. Our judge, at his leiſure hours, compoſed his learned and uſeful work on Engliſh tenures of lands, to which he is indebted for that fame which he hath long enjoyed, and will probably much longer enjoy. The learned judge died in an advanced age, Auguſt 23, A. D. 1481, leaving three ſons to ſhare his ample fortune [13].

Forteſcue. Sir John Forteſcue was the great ornament of his honourable profeſſion, and one of the moſt learned and beſt men of the age in which he flouriſhed. Being the third ſon of ſir Henry Forteſcue, lord chief Juſtice of Ireland, he was early intended for the law, and at a proper age entered a ſtudent in Lincoln's-inn, where he ſoon became famous for his ſuperior knowledge, both of the civil and common law. When he was reader in that ſociety, his lectures were attended with crowded audiences, and received with great applauſe [14]. He was made a ſergeant at law A. D. 1430; appointed king's ſergeant A. D. 1441; and raiſed to the high office of chief-juſtice of the king's bench A. D. 1442, in which he preſided many years with great

13 See Biographia Britannica, vol. 5. p. 2975.
14 Bale, p. 613.

wiſdom,

wiſdom, dignity, and uprightneſs. As the chief-juſtice was ſteady in his loyalty to his ſovereign, Henry VI. he ſhared in his misfortunes, and was attainted of high treaſon by the firſt parliament of Edward IV. A. D. 1461, after he had fled into Scotland with his unfortunate maſter[15]. It was probably there that he was created lord chancellor of England, an office which he never had an opportunity of exerciſing. Having retired into France, A. D. 1463, with queen Margaret and her ſon Edward prince of Wales, he remained there ſeveral years, aſſiſting them with his councils, and ſuperintending the education of that hopeful young prince. It was for his inſtruction, to give him clear and juſt ideas of the conſtitution of England, as a limited and legal, and not an abſolute monarchy, that he compoſed his admirable little treatiſe, *De laudibus legum Angliæ*; which, for the excellence of its method, the ſolidity of its matter, and the juſtneſs of its views, excels every work on that ſubject, in ſo ſmall a compaſs, and muſt endear the memory of this great and good man to every friend of our happy conſtitution. This excellent treatiſe, after remaining too long in obſcurity was printed, and hath paſſed through ſeveral editions[16] Sir John Forteſcue accompanied queen Margaret and prince Edward in their laſt unfortunate expedition into England, and was taken priſoner, after the defeat of their army, at Tewkſbury,

[15] W. Wyrceſter, an. 1461.

[16] See the well-written life of ſir John Forteſcue, in Biographia Britannica.

May

May 4, A. D. 1471. Though Edward IV. made rather a cruel uſe of his victory, he ſpared the life of this venerable ſage; and after ſome time reſtored him to his liberty, and probably to his eſtate, and received him into favour. Sir John, like a wiſe and good man, acquieſced in the deciſion of Providence in the fatal conteſt between the houſes of York and Lancaſter; and, conſidering the laſt of theſe houſes as now extinct, he frankly acknowledged the title of Edward IV. to the crown, and wrote in defence of that title. But he ſtill retained the ſame political principles, and particularly his zealous attachment to a limited and legal government, in oppoſition to abſolute monarchy. This is evident from his excellent treatiſe, on the difference between an abſolute and limited monarchy, which, after remaining long in MS. was publiſhed by an honourable deſcendant of the author, A. D. 1714. This treatiſe is written in Engliſh, was deſigned for the uſe of Edward IV. and is valuable as a ſpecimen of the Engliſh of thoſe times; but much more valuable on account of the many curious particulars it contains concerning the conſtitution of England, and the condition of its inhabitants[r]. I heartily ſubſcribe to the character given of this treatiſe by a very good judge of literary merit: "Take it all "together, and it will appear to be a work which "affords us full evidence of the learning, wiſdom,

[r] See the difference between an abſolute and limited Monarchy, &c. written by ſir John Forteſcue, &c. publiſhed by John Forteſcue A. D. 1714.

"upright-

" uprightneſs, public ſpirit, and loyal gratitude of " its author, as any that is extant in ours or in " any modern language [18]." This learned judge compoſed ſeveral other works, which are ſtill extant in MS. and ſome which are probably loſt; and, after a long, active, and virtuous life, chequered with proſperity and adverſity, he paid the laſt debt to nature in the ninetieth year of his age [19].

Ignorance of the great.

The love of learning was by no means the prevailing taſte of the great in the times we are examining. Even in a later period, " it was thought " enough for a nobleman's ſons to winde their " horn, and to carry their hawk fair, and leave " ſtudy and learning to the children of mean " people [20]." A few perſons, however, of high rank poſſeſſed ſuch ſtrength of mind as to reſiſt the tyranny of faſhion, and engage with no little ardour and ſucceſs in the purſuit of learning, and on that account deſerve to be remembered with honour by poſterity.

James I.

James I. king of Scotland was not only the moſt learned king, but one of the moſt learned men, of the age in which he flouriſhed. This ingenious and amiable prince fell into the hands of the enemies of his country in his tender youth, when he was flying from the ſnares of his unnatural, ambitious uncle, who governed his dominions, and was ſuſpected of deſigns againſt his life. The king of

[18] Biographia Britannica, vol. 3. p. 1997.
[19] Id. ibid.
[20] Id. ibid. p. 1236.

England

England knew the value of the prize he had obtained, and kept it with the moſt anxious care. The prince was conducted to the tower of London immediately after he was ſeized, April 12, A. D. 1405, and there kept a cloſe priſoner till June 10, A. D. 1407, when he was removed to the caſtle of Nottingham, from whence he was brought back to the Tower, March 1, A. D. 1414, and there confined till Auguſt 3, in the ſame year, when he was conveyed to the caſtle of Windſor, where he was detained till the ſummer of A. D. 1417; when Henry V. for political reaſons, carried him with him into France in his ſecond expedition[21]. In all theſe fortreſſes, his confinement, from his own account of it, was ſo ſevere and ſtrict, that he was not ſo much as permitted to take the air.

Quhare as in ward full oft I wold bewaille
My dedely lyf, full of peyne and penance,
Saing z, t thus, quhat have I gilt to faille
My fredome in this warld, and my pleſance?
Sin every weight has thereof ſufficiance.

Bewailing in my chamber thus allone,
Diſpeired of all joye and remedye,
For-tirit of my thot, and wo-begone,
And to the wyndow gan I walk in hye,
To ſee the warld, and folk that went forbye,
As for the tyme, though I of mirthis fude
Myt have no more, to luke it did me gude[22].

[21] Rym. Fœd. tom. 8. p. 484. tom. 9. p. 7. 44.

[22] The King's Quhair, a poem, by James I. canto 2. ſtan. 7. 9.

King

King James was about thirteen years of age when he loſt his liberty, and was kept in this uncomfortable cloſe confinement till he was about twenty-ſix. In this melancholy ſituation, ſo unſuitable to his age and rank, books were his chief companions, and ſtudy his greateſt pleaſure. He roſe early in the morning, immediately applied to reading, to divert him from painful reflections on his misfortunes, and continued his ſtudies, with little interruption, till late at night. Fond of reading.

The long dayes and the nightis eke,
I wold bewaille my fortune in this wi'e,
For quhich again diſtreſſe comfort to ſeke,
My cuſtum was on mornis for to riſe
Airly as day, O happy exereiſe!
Bot ſlep for craft in erth myt I no more;
For quich, as tho' could I no better wyle,
I toke a boke to rede upon a quhile:
Myn eyne gan to ſmart for ſtudying;
My boke I ſchet, and at my hede it laid [23].

James being naturally ſenſible, ingenious, and fond of knowledge, and having received a good education in his early youth, under the direction of Walter Wardlaw, biſhop of St. Andrew's; by this cloſe application to ſtudy, became an univerſal ſcholar, an excellent poet, and exquiſite muſician. That he wrote as well as read much, we have his own teſtimony, and that of all our hiſtorians who lived near his time [24]. Bowmaker, the continuator of Fordun, who was his contemporary, and Univerſal ſcholar.

[23] King's Quhair, canto 2. ſtanza 10. canto 1. ſtan. 2. 8.
[24] Id. canto 1. ſt. 15.

perſonally

perſonally acquainted with him, ſpends ten chapters in his praiſes, and in lamentations on his death; and, amongſt other things, ſays, that his knowledge of the ſcriptures, of law, and philoſophy, was incredible[25]. Hector Boyſe tells us, that Henry IV. and V. furniſhed their royal priſoner with the beſt teachers in all the arts and ſciences; and that, by their aſſiſtance, he made great proficiency in every part of learning, and the fine arts; that he became a perfect maſter in grammar, rhetoric, poetry, muſic, and all the ſecrets of natural philoſophy, and was inferior to none in divinity and law. He obſerves further, that the poems he compoſed in his native tongue were ſo beautiful, that you might eaſily perceive he was born a poet; but that his Latin poems were not ſo faultleſs; for though they abounded in the moſt ſublime ſentiments, their language was not ſo pure, owing to the rudeneſs of the times in which he lived[26]. From one of his Engliſh poems which hath been lately reſcued from oblivion, and preſented to the public, by the laudable induſtry of its learned editor, it plainly appears, that its royal author was poſſeſſed of a great variety of learning, as well as of a genuine ſpirit of poetry; and if his other works had been preſerved, it is probable we ſhould have had ſtill ſtronger evidences of his erudition[27]. But the works of James I. have been as unfortunate as their author; and all his Latin, and many

[25] Scoticron. lib. 16. c. 28—38.

[26] Hect. Boeth. Scot. Hiſt. lib. 16. fol. 340.

[27] See the Poetical Remains of James I. Edinburgh, 1783.

of his Engliſh compoſitions, are, it is to be feared, irrecoverably loſt.

John Tiptoft, earl of Worceſter, who flouriſhed in the reigns of Henry VI. and Edward IV. was greatly diſtinguiſhed among the nobility of his time, by his genius and love of learning. He ſucceeded to the great eſtates of his family, by the death of his father John lord Tiptoft, 21ſt Henry VI. when he was about ſixteen years of age; and, ſix years after, was honoured by that monarch with the higher title of earl of Worceſter [28]. This accompliſhed nobleman was, by the ſame prince, conſtituted lord high treaſurer of England, when he was only twenty-five years of age [29]. The earl of Worceſter very early diſcovered a taſte for learning, and at a proper age proſecuted his ſtudies at Baliol college in Oxford; where, as his contemporary and fellow-ſtudent, John Rous of Warwick, tells us, he was much admired for his rapid progreſs in literature [30]. In the twenty-ſeventh year of his age, he was commiſſioned, with ſome other nobleman, to guard the narrow ſeas, and performed that ſervice with honour to himſelf and advantage to his country [31]. But in the midſt of all theſe honourable toils and offices, his love of learning continued unabated; and he reſolved to travel for his improvement. Having viſited the Holy Land, he returned to Italy, and ſettled at Padua, where Lodovicus Carbo, Guarinus, and John Phrea, an

Earl of Worceſter.

[28] Dugdale's Baronage, vol. 2. p. 41.
[29] Leland de Script. Britan. p. 475.
[30] J. Roſſi Hiſt. p. 5. [31] Dugdale, v. 2. p. 41.

Engliſh-

Engliſhman, were then very famous for their learning, and attracted great crowds of ſtudents. Our illuſtrious ſtranger was treated with great reſpect at Padua, and much admired by all the men of letters, for the knowledge he already poſſeſſed, and his ardour in adding to his ſtores. His countryman, John Phrea, dedicated two books which he then publiſhed to the earl of Worceſter; and in theſe dedications he beſtowed the higheſt praiſes on his patron, for his genius, learning, and many virtues; and, amongſt other things, ſays, "Thoſe "ſuperior beings, whoſe office it is to be the "guardians of our iſle of Britain, knowing you "to be a wiſe and good man, an enemy to fac-"tion, and a friend of peace, warned you to aban-"don a country which they had abandoned, that "you might not be ſtained by mixing with im-"pious and factious men[31]." While he reſided at Padua, which was about three years, during the heat of the civil wars in England, he viſited Rome, and delivered an oration before pope Pius II. (Æneas Silvius), and his cardinals, which drew tears of joy from his holineſs, and made him ſay aloud, "Behold the only prince of our times, "who, for virtue and eloquence, may be juſtly "compared to the moſt excellent emperors of "Greece and Rome[32]." Such a compliment from an Italian to an Engliſhman muſt have been extorted by the force of truth.

[31] Leland, p. 477. [32] Id. p. 476.

The

A collector of books.

The earl of Worceſter was a great collector of books; and while he reſided in Italy, he expended much money in literary purchaſes. "The earl "of Worceſter (ſays Laurentius Carbo), captivated by the charms of the Muſes, hath remained "three years in Italy, and now reſides at Padua, "for the ſake of ſtudy, and detained by the civilities of the Venetians; who, being exceedingly "fond of books, hath plundered, if I may ſo "ſpeak, our Italian libraries, to enrich England[34]." After his return home, he made a preſent of books to the univerſity-library of Oxford, which had coſt him 500 marks[35]: a great ſum in thoſe times.

Returned to England.

As ſoon as the earl received intelligence that the civil war was ended, by the elevation of Edward IV. to the throne, he returned to England, ſubmitted to that prince, was received into his favour, and raiſed by him to ſeveral places of power and truſt. In the ſecond year of that reign, he was made treaſurer of the exchequer, and in the next year, chancellor of Ireland for life. He was ſoon after conſtituted lord deputy of Ireland, under the duke of Clarence, and at laſt made lord lieutenant of that kingdom, and conſtable of England. In a word, he was loaded with favours; and hardly a year paſſed in which he did not receive ſome valuable grant or great office[36].

[34] Leland, p. 478.
[35] Tanner, p. 715
[36] Dugdale, vol. 2. p. 41.

Beheaded. But this proſperity was not of long duration. A new revolution took place. Edward IV. was obliged to abandon his kingdom with great precipitation to ſave his life. The earl of Worceſter was not ſo fortunate as to eſcape; but after he had concealed himſelf a few days, he was diſcovered on a high tree in the foreſt of Waybrig, conducted to London, condemned at Weſtminſter, and beheaded on Tower-hill, October 15, A. D. 1470, in the 42d year of his age[37]. He was accuſed of cruelty in the government of Ireland; but his greateſt crime, and that for which he ſuffered, was, his ſteady loyalty to his rightful ſovereign and generous benefactor, Edward IV. "O good "bleſſed Lord God! (ſaith Caxton,) what grete "loſſe was it of that noble, virtuous, and well-"diſpoſed lord the earl Worceſter! What worſhip "had he at Rome, in the preſence of our holy "fader the pope, and in all other places unto his "deth! The axe then did at one blow cut off more "learning than was in the heads of all the ſurviv-"ing nobility[38]." Caxton was his contemporary; and being alſo a zealous Yorkiſt, could not but be well acquainted with him.

Works. This earl tranſlated the Orations of Publius Cornelius, and Caius Flaminius, rivals for the love of Lucretia; and his tranſlation (ſays Leland) was ſo neat, elegant, and expreſſive, that it equalled the

[37] Dugdale, vol. 2. p. 41.

[38] See Royal and Noble Authors, vol. 1. p. 59—67.

beauty

beauty of the original [39]. He tranſlated alſo into Engliſh, Cicero *De Amicitia*, and his treatiſe *De Senectute*; and theſe tranſlations were printed by Caxton, A. D. 1481 [40]. His famous oration before the pope and cardinals, and moſt of his original works, are loſt, a few letters and ſmall pieces only remaining in MS [41].

Earl Rivers.

Another Engliſh nobleman, contemporary with the earl of Worceſter, who was an author, and had a taſte for letters, was Anthony Wodevile, earl Rivers, brother to Eliſabeth Wodevile, lady Gray, queen of Edward IV. He was, in all reſpects, one of the moſt accompliſhed noblemen of his age. But as it is only as a man of letters he is introduced here, it is only his literary character and hiſtory that can with propriety be given in this place. I have not diſcovered where this nobleman was educated, or how far he purſued his ſtudies; but as he was early and conſtantly engaged in the tumults of thoſe turbulent times, or in diſcharging the duties of the high offices with which he was inveſted, it is probable that he made no great progreſs in the cultivation of the ſciences; and as his works conſiſt of tranſlations from the French, they did not require much erudition.

Works.

The following account of theſe works, by his printer and great admirer, honeſt William Caxton, will be more ſatisfactory than any that can be given by a modern writer. "The noble and virtuous

[39] Leland, p. 480.
[40] Tanner, p. 716.
[41] Id. ibid.

" lord Anthoine, erle Ryviers, lord Scales, and " of the Iſle of Wight—uncle and governour to " my lorde prince of Wales—notwithſtanding the " great labours and charges that he hath had in " the ſervice of the king and the ſaid lord prince, " as well in Wales as in England, which hath be " to him no little thought and biſineſs, both in " ſpirite and body, as the fruit thereof experiment- " ally ſheweth; yet over that, tenriche his virtu- " ous diſpoſicion, he hath put him in devoyr, at " all tymes when he might have a leyſer, whiche " was but ſtarte mele, to tranſlate diverſe bookes, " out of Frenſh into Engliſh. Emong other, " paſſed thurgh myn hande, the booke of the " Wiſe Sayinges or Dictes of Philoſophers—and " the Wiſe Hollom Proverbes of Criſtine of " Pyſe, ſet in metre. Over that, hath made di- " verſe balades aginſt the ſeven dedely ſynnes. " Furhermore, he took upon him the tranſlating " of this preſent worke, named Cordyale, truſting, " that bothe the reders and the hearers thereof " ſholde know themſelf herafter the better, and " ammende their lyvyng [42]." Theſe three books, tranſlated from the French by earl Rivers, were printed by Caxton, A. D. 1477 and 1478; and our earl, and his printer Caxton, were the firſt Engliſh writers who had the pleaſure to ſee their works publiſhed from the preſs. His ballads againſt the ſeven deadly ſins, I preſume, are loſt: but John Rous of Warwick hath preſerved a ſhort

[42] Biographia Britannica, vol. 2.

poem,

poem, which he is ſaid to have compoſed in his priſon in Pomfret caſtle, a little before his death, which breathes a noble ſpirit of pious reſignation to his approaching fate[43]. This accompliſhed, brave, and amiable nobleman, as hath been already related, was beheaded, at Pomfret, 23d June A. D. 1483, in the 41ſt year of his age[44].

Who can help obſerving, with ſurpriſe and ſorrow, that king James I. the earls of Worceſter and Rivers, the great ornaments of Britain in the age in which they flouriſhed, were all cut off, in the prime of life, by unmerited and violent deaths? This is one proof, amongſt many others, of the cruel ferocious ſpirit which reigned in thoſe unhappy times. May ſuch a ſpirit be held in everlaſting deteſtation!

SECTION III.

Hiſtory of the chief Seminaries of Learning founded in Great Britain, from A. D. 1400 *to* A. D. 1485.

Though learning ſenſibly declined in Britain in this period, that was not owing to the want of ſchools, colleges, and univerſities; as, in the courſe of it, three colleges were founded in each of the Engliſh univerſities, and the two univerſi- Schools founded.

[43] Roſſi Hiſt. p. 214.

[44] See Royal and Noble Authors, vol. 1. p. 67—80.

ties of St. Andrew's and Glaſgow were founded in Scotland.

Lincoln college.

Richard Fleming, biſhop of Lincoln, was the founder of Lincoln college in Oxford. In his youth he was a great admirer of Dr. Wickliffe, and a zealous advocate for his opinions; but having obtained good preferments in the church, and expecting better, he changed his principles, and became as violent an oppoſer as he had been a defender of theſe opinions. Having been raiſed to the epiſcopal chair of Lincoln, he founded Lincoln college in Oxford, A. D. 1430, for a rector and ſeven ſcholars, who were to make controverſial divinity their particular ſtudy, to fit them for defending the church againſt the Lollards, by their writings and diſputations. Biſhop Fleming died ſoon after he had laid the foundation of his college, and left it in a very imperfect ſtate. But the buildings were carried on, and ſeveral fellowſhips founded by ſucceſſive benefactors; and at length the whole was completed about A. D. 1475, by Thomas Scott of Rotheram, biſhop of Lincoln, who may be called the ſecond founder of this college [1].

All-Souls college.

Henry Chicheley, archbiſhop of Canterbury, founded All-Souls college in Oxford, A. D. 1437. Having determined to devote his money to pious and charitable uſes, his friends, with whom he conſulted, adviſed him to build an hoſpital for the diſabled ſoldiers, who were daily returning from the

[1] Ant. Wood, Hiſt. Univ. Oxon. lib. 2. p. 159, &c.

wars

wars in France. But this great prelate, being more under the influence of ſuperſtition than humanity, and thinking it a greater act of charity to relieve the ſouls of the dead than the bodies of the living, founded a college for a warden and forty fellows, and appointed them to put up inceſſant prayers for the ſouls of thoſe who had fallen in the French wars, and for the ſouls of all the faithful departed, from whence it was called *Collegium Omnium Animarum*, the College of All Souls. The archbiſhop expended 4545 l. on the fabrick, and procured a conſiderable revenue for it out of the lands of the alien priories, which had been diſſolved a little time before [2].

Magdalene college.

William Patten, biſhop of Wincheſter, founded a college at Oxford, dedicated to St. Mary Magdalene, and from thence called Magdalene College; for a preſident, forty fellows, thirty ſcholars, four preſbyters, eight ſinging clerks, ſixteen choriſters, with ſuitable officers and ſervants. The foundation of the fabrick was laid A. D. 1458, and the whole ſtructure was completed A. D. 1479. This college, by the bounty of its founder, and other benefactors, ſoon became one of the richeſt in Europe [3].

King's college.

Henry VI. founded King's college in Cambridge, A. D. 1443, for one provoſt, ſeventy fellows and ſcholars, three chaplains, ſix clerks, ſixteen choriſters, with a maſter, ſixteen officers,

[2] Ant. Wood, Hiſt. Univer. Oxon. lib. 2. p. 172, &c.
[3] Id. ibid. p. 187, &c.

twelve ſervitors, &c. The original plan of this foundation was truly royal and magnificent, if we may judge of it from the chapel, which hath been long and univerſally admired as one of the fineſt pieces of Gothick architecture in the world. But the misfortunes of the unhappy founder prevented the execution of that plan[4]. King Henry founded alſo the illuſtrious ſchool of Eton, near Windſor, about the ſame time, to be a nurſery for his college in Cambridge.

Queen's college, Cambridge.

Queen Margaret, the active ambitious conſort of Henry VI. founded Queen's college in Cambridge, A. D. 1448. This college was involved in the misfortunes of its foundreſs, and in danger of periſhing in its infancy; but was preſerved by the care and diligence of Andrew Ducket, its firſt preſident, who continued in that ſtation no leſs than forty years; and by his aſſiduous ſolicitations, procured it ſo many benefactions that he may, with great propriety, be eſteemed its preſerver and ſecond founder[5].

Katharine-hall, Cambridge.

Robert Woodlark, the third provoſt of King's college, founded Katherine hall in Cambridge, A. D. 1475, for a maſter and three fellows. This hall, ſo ſmall at its beginning, increaſed ſo much in its revenues, and the number of its members, by the bounty of many ſubſequent benefactors, that it became equal, if not ſuperior, to ſome colleges[6].

[4] Fuller's Hiſt. Cam. p. 73. [5] Id. p. 80.
[6] Id. p. 83.

The

Public Schools.

The profeſſors of the ſeveral ſciences in Cambridge and Oxford anciently read their lectures, either in convents or in private houſes, at a diſtance from one another, hired for that purpoſe; which was attended with various inconveniences. To remedy this, public ſchools were built, in both theſe univerſities, in the courſe of this period. Thomas Hokenorton, abbot of Oſney, erected a range of ſtone buildings, in Oxford, A. D. 1439, which he divided into ſchools, for the following arts and ſciences: metaphyſics, natural philoſophy, moral philoſophy, aſtronomy, geometry, muſic, arithmetic, logic, rhetoric, and grammar. Theſe were called the *new ſchools*, and were uſed till long after the concluſion of this period [7]. The foundation of the magnificent divinity ſchool and library, in the ſame univerſity, was laid about A. D. 1427; but the building was frequently interrupted for want of money. At length, by the liberal donations of ſeveral benefactors, particularly of Humphrey duke of Glouceſter, cardinal John Kemp, archbiſhop of York, and his nephew Thomas Kemp, biſhop of London, the ſtructure was completed, A. D. 1480 [8]. This fabrick was an object of great admiration in thoſe times; and the univerſity ſpeak of it in the moſt lofty ſtrains, in their letters to their great benefactor the biſhop of London, calling it, "A work worthy of God, as much ſupe-" rior to all the great edifices around it, in mag-" nitude and beauty, as divinity, to which it is

[7] Ant. Wood. lib. 2. p. 16.

[8] Id. ibid. p. 21, 22.

" dedi-

"dedicated, is ſuperior to all the other ſciences [9]." The quadrangle, containing the public ſchools in Cambridge, at leaſt the weſt ſide of it, was founded about the beginning of this period, and the whole was finiſhed about A. D. 1475 [10].

No univerſity in Scotland.

The youth of Scotland, in the middle ages, were not deſtitute of a genius, and a taſte for learning; but had not the ſame means of acquiring it with thoſe of England. Having no univerſity in their own country, ſuch of them as proſecuted their ſtudies, were obliged to travel for their improvement; which was attended with much expence and trouble. This diſadvantage was ſenſibly felt and much regretted; but the diſtracted ſtate of that unhappy kingdom, involved in almoſt inceſſant wars, long prevented any remedy [11].

Lectures at St. Andrew's.

At length, A. D. 1410, a few men of letters in St. Andrew's formed themſelves into a voluntary ſociety, and generouſly offered to teach thoſe ſciences then uſually taught in univerſities, to all who choſe to attend their lectures. Laurence Lindores, a learned theologian, read lectures on the fourth book of the ſentences of Peter Lombard; Dr. Richard Cornel, archdeacon of Lothian, Mr. John Litſter, canon of St Andrew's, and Mr. John Chevez, official of St. Andrew's, and Mr. William Stephen, lectured at different hours, on the civil and canon laws, which were the favourite

[9] Ant. Wood, lib. 1. p. 21, 22.
[10] Fuller, p. 79.
[11] Fordun's Scoticron. lib. 15. c. 22. Hect. Boeth. lib. 16. Buchan. lib. 10.

ſtudies

ſtudies of the clergy in thoſe times; Mr. John Gyll, Mr. William Fowles, and Mr. William Croiſer, taught logic and philoſophy. Theſe lectures commenced at Whitſunday A. D. 1410, and were attended by crowds of ſtudents [12].

Univerſity of St. Andrew's founded.

Henry Wardlaw, biſhop of St Andrew's, a magnificent and generous prelate, a great, and probably the chief promoter of this deſign of erecting an univerſity, encouraged by the ſucceſs of theſe previous lectures, granted a charter "to the venerable doc-"tors, maſters, bachelors, and ſtudents, reſiding "in his city of St. Andrew's and their ſucceſſors, "confirming the univerſity there, which they had "ſo laudably inſtituted and begun, conſtituting "and declaring it to be an univerſity, for the "ſtudy of divinity, law, medicine, and the liberal "arts, and taking it under his ſpecial protection." In this charter the biſhop, for himſelf and his ſucceſſors, granted to the members of his univerſity of St. Andrew's, and their ſucceſſors, all the powers, privileges, and immunities, uſually granted to other univerſities, which are enumerated; and obliged the aldermen, bailiffs, and other officers of his city of St. Andrew's, when they entered on their offices, to take an oath before the rector of the univerſity, not to invade or violate any of theſe privileges. In the ſame charter the prior and chapter of St. Andrew's, with the archdeacons of St. Andrew's and Lothian, give their conſent to the eſtabliſhment of the univerſity, and grant the

[12] Scoticron, lib. 15. cap. 22.

ſame

ſame privileges to its members, in all their baronies and lands. This charter is dated at St. Andrew's, 27th February A. D. 1411 [13].

Confirmed by the pope.

As no tranſaction of importance in thoſe times was concluded without the approbation of the pope, the above mentioned charter, with petitions for the confirmation of it from the regent, in the name of the king, from the biſhop, prior, and chapter of St. Andrew's, were ſent to pope Benedict XIII. one of the three contending popes, who then reſided in Aragon, and was acknowledged by that kingdom, and by Scotland. Benedict granted one bull, confirming the above charter, and all the privileges and immunities therein given to the new univerſity, by the biſhop, prior, chapter, and archdeacons; and another, granting certain additional privileges, by his holineſs. Both theſe bulls are dated at Paniſcole (a ſtrong place in Aragon, where that pope then kept his little court), September 3, A. D. 1412 [14]. When theſe papal bulls were brought to St. Andrew's February 3, A. D. 1413, by Henry de Ogilby, A. M. they were received with great ceremony, and every poſſible demonſtration of joy [15].

Became famous.

The univerſity of St. Andrew's ſoon became conſpicuous, and acquired conſiderable influence in the moſt important affairs both of church and ſtate. Scotland adhered longer to Benedict XIII. than any other nation; but after that pope was de-

[13] Ex Archivis Univer. S. Andr. [14] Id.
[15] Scoticron. lib. 15. c. 12.

poſed

poſed by the council of Conſtance, and Martin V. choſen in his place, the council ſent the abbot of Pontiniac, a man of great learning and eloquence, into Scotland, to prevail upon that church and kingdom to withdraw their obedience from Benedict, and acknowledge the pope who had been choſen by the council. The emperor Sigiſmond, at the ſame time, ſent letters to the regent and the three eſtates, to the ſame purpoſe. The duke of Albany ſummoned a parliament, and convocation of the clergy, to meet at Perth, 2d October A. D. 1417, to determine this important queſtion. The regent was friendly to the cauſe of Benedict; and that pope was not wanting to himſelf on this occaſion. After the abbot of Pontiniac had laid before the parliament, the emperor's letters, and the requeſt of the council of Conſtance, and enforced them in a long oration, Dr. John Harding appeared, with letters from Benedict, which he preſented, together with a commiſſion to him to plead his cauſe. The letters contained the moſt flattering praiſes of the Scots for their former ſteadineſs, and the moſt preſſing exhortations to perſevere in their adherence to him as the only lawful pope; and Dr. Harding pleaded his cauſe with great ability and zeal, employing arguments which muſt have made a deep impreſſion on a ſuperſtitious high-ſpirited people, proud and jealous of their independence. But Dr. John Elwood, the rector, and the other famous divines of the univerſity of St. Andrew's, having taken the other ſide of the queſtion, prevailed upon the parliament,

by

by the ſtrength of their arguments and the weight of their influence, to withdraw from the obedience of Benedict, and acknowledge Martin V. to be the lawful pope, [16].

Favoured by James I.

James I. that great lover of learning and learned men, rejoiced in the ſolitude of his priſon, at the eſtabliſhment of an univerſity in his dominions; and after his return home he gave the members of it many marks of his favour and attention. He ſometimes honoured their public acts and diſputations with his preſence; beſtowed eccleſiaſtical dignities and benefices on the moſt eminent profeſſors; kept a liſt of the moſt promiſing ſcholars, in order to prefer them as opportunities offered; and granted them a charter, expreſſive of the warmeſt regard, and exempting them from all tolls, taxes, and ſervices, in all parts of the kingdom. This charter is dated, at Perth, 20th March A. D. 1431 [17]. We are told by one of our ancient hiſtorians, that the new univerſity increaſed immenſely under the patronage of this excellent prince; that it had thirteen doctors of divinity, eight doctors of laws, many other learned men, and a prodigious multitude of ſtudents [18].

Not rich.

But though the univerſity of St. Andrew's was thus completely eſtabliſhed, much reſpected, and well frequented, it was but ill accommodated and endowed. The ſtudents lived intirely at their

[16] Scot'cron. lib. 15. c. 24, 25.
[17] Ex Archiv. &c. H. Boeth. lib. 16. p. 342.
[18] Ibid.

own

own expence; the regents or teachers had no fixed ſalaries; and the gratuities they received from their pupils were probably very ſmall; and in this condition this univerſity continued about forty years, owing to the very unhappy and diſtreſsful circumſtances of the kingdom in thoſe times.

St. Salvator's college.

At length that generous and public-ſpirited prelate, James Kennedy, biſhop of St. Andrew's, who ſucceeded biſhop Wardlaw in that ſee, A. D. 1444, built a college in that city, for theology and the liberal arts, dedicated to the honour of God, of our Saviour, and the Virgin Mary; and gave it the name of *St. Salvator's college*. Beſides defraying all the expence of the fabric, with its furniture and of the utenſils and ornaments of the chapel, he endowed it with competent revenues for a principal, ſix fellows, and ſix poor ſcholars. It is difficult to diſcover the preciſe time when this college was built and endowed. The firſt foundation-charter was confirmed by pope Nicolas V. who died 25th March A. D. 1455; before which time the college muſt have been founded [19]. The ſecond foundation charter, conſiderably different from the firſt, is dated at the caſtle of St. Andrew's, 5th April A. D. 1458, and was confirmed, at Rome by pope Pius II. 13th September in the ſame year. This charter is very long, containing all the ſtatutes of the college, from which only a very brief abſtract of the chief or moſt remarkable articles can be given. By this charter the princi-

[19] Du Pin, cent. 15. ch. 3.

pal

pal was always to be a doctor in divinity, and rector of Quhilt, and was obliged to read a theological lecture once in every week, and to preach to the people four times a-year. The firſt of the fellows was to be a licentiate in divinity and rector of the pariſh-church of Kembach, and to read theological lectures thrice a-week, and preach to the people ſix times a-year. The ſecond of the fellows was to be a bachelor in divinity, rector of Duninnach, and to read a theological lecture every lawful day. The rectories annexed to theſe three offices conſtituted their endowments. The other four fellows were to be maſters of arts, and in prieſts orders; and two of them were to be choſen annually, by the principal, the licentiate, and the bachelor, to read lectures in logics, phyſics, philoſophy, or metaphyſics, according to the manner preſcribed by the general ſtatutes of the univerſity, for which they were to receive ſmall annual ſtipends. All the members, with neceſſary ſervants and attendants, were to be provided with meat, drink, and lodging in the college; and funds were ſettled for that purpoſe. Others, who reſided in it at their own expence, were to conform to all its regulations. This charter contains a great variety of rules, concerning the ſucceſſion or election to offices—the times of vacation and reſidence,—the performance of divine ſervice in the chapel,—viſitation by the rector of the univerſity, the authority of the principal, &c. &c. Though this good biſhop is ſaid to have been a great reformer of the manners of the clergy, he doth not ſeem to have

expected

expected or exacted any very extraordinary degrees of purity and ſtrictneſs from the members of his college, as appears from the following ſtatute: "We ordain further, That all the members of the "ſaid college live decently, as becomes eccleſia-"ſtics; that they do not keep concubines pub-"licly; that they be not common night-walkers "or robbers, or habitually guilty of other notorious "crimes; and if any one of them is ſo (which "God forbid), let him be corrected by his ſupe-"rior, and if he proves incorrigible, let him be "deprived by the ſame ſuperior, and another ſub-"ſtituted in his place [10]."

As the dioceſe of Glaſgow was next to that of St. Andrew's in rank and revenues, the biſhops of the one often emulated thoſe of the other. William Turnbull, biſhop of Glaſgow, ſeeing an univerſity eſtabliſhed at St. Andrew's, and being a friend to learning, reſolved to procure the eſtabliſhment of another at his epiſcopal ſeat. With this view, he prevailed upon king James II. to apply to the pope for erecting one in that city; repreſenting, that it would be of great uſe, not only to his own ſubjects, but alſo to the people of ſome neighbouring countries; and that the place was very fit for ſuch a ſeminary of learning, on account of the ſalubrity of the air, and of its abounding with all the neceſſaries of life. In compliance with this application, pope Nicholas V. moved by the accounts he had received of the pleaſantneſs of the place, the

University of Glaſgow founded.

[10] Ex Archivis Univer. St. Andr.

the convenientneſs of its ſituation, and the number of learned men reſiding in it, granted a bull, dated at Rome, 26th December A. D. 1450, eſtabliſhing an univerſity, or general ſtudy in all lawful faculties in the city of Glaſgow, with all the powers, honours, and immunities, of his own univerſity of Bononia; and that the degrees and honours conferred by it ſhould be ſuſtained by every other univerſity. By the ſame bull, the pope conſtituted William biſhop of Glaſgow, and his ſucceſſors, perpetual chancellors of this univerſity, with all the powers enjoyed by the chancellors of other univerſities [21].

Commenced.

When this bull was brought to Glaſgow, a congregation of thoſe who were to be the firſt members was held in the chapter-houſe of the Dominican friars; and at that meeting the univerſity was formed. About forty gentlemen, moſtly eccleſiaſtics, were incorporated, or matriculated, and took an oath to keep the ſecrets, maintain the privileges, and obey the laws, of the univerſity. At their matriculation, each perſon paid, or engaged to pay, a ſum of money, for the ſupport of the inſtitution; but whether that ſum was fixed, and a condition of their admiſſion, or was uncertain and voluntary, I have not diſcovered. The firſt lecture in this univerſity was read in the chapter-houſe of the Dominicans, 29th April A. D. 1451, by Dr. David Cadzow, the firſt rector, on the third book of the ſentences, *De vita et honeſtate clericorum;*

[21] Ex Archivis Univer. Glaſgowen.

and

and Dr. John Lennox read, the ſame day in the ſame place, on the rubric of the civil law [22]. Dr. Andrew De Garlies, doctor of medicine, was admitted a member four days after this, and was probably the firſt profeſſor of that ſcience in this univerſity.

College.

In the ſame year in which the univerſity of Glaſgow was thus eſtabliſhed, the college or faculty of arts was alſo formed. Dr. William Elphingſton was choſen the firſt dean of that faculty; and the regents immediately began their lectures in logics, phyſics, and philoſophy. The college was governed by a principal or chief regent, who was ſubject to the authority of the rector of the univerſity. Dr. Duncan Bunch was the firſt principal [23]. The ancient records of the college were kept in a book diſtinct from thoſe of the univerſity.

Confirmed by James II.

The univerſity and college of Glaſgow being thus completely formed, king James II. by his letters-patent under the great ſeal, dated at Stirling, 20th April A. D. 1453, took under his ſpecial patronage and protection, the rector, dean of faculty, proctors of nations, regents, maſters, and ſcholars, and their ſucceſſors; and exempted them, together with their beadles, writers, ſtationers, and parchment-makers, from all taxes, tolls, watchings, wardings, &c. within this kingdom [24].

[22] Ex Archivis Univer. Glaſgowen.
[23] Ex Archivis Collegii Glaſgowen.
[24] Ex Archivis Univer. Glaſgowen.

By biſhop Turnbul.

William Turnbull, biſhop of Glaſgow, who had been the chief promoter of this inſtitution, granted a charter, dated at his city of Glaſgow, 1ſt December A. D. 1453, containing a variety of powers and privileges conferred by him on the rector and univerſity. Particularly he granted to the rector of his univerſity of Glaſgow, and his ſucceſſors, juriſdiction and cogniſance in all civil and pecuniary cauſes of ſmaller moment within the univerſity; reſerving thoſe of greater importance to his own determination as lord of the regality. He alſo granted to the rector the trial and cogniſance of all quarrels and diſputes between the members of the univerſity and the inhabitants of the city and regality of Glaſgow; reſerving to the latter the privilege of appealing from the deciſions of the rector to the biſhop or his official. All beneficed clergymen within the dioceſe of Glaſgow, who were members of the univerſity, either as regents or ſtudents, were by this charter exempted from the obligation of reſiding in their pariſhes, but were obliged to keep curates. The biſhop alſo granted an exemption from all tolls, exactions, and ſervices impoſed by the city, to all the members of the univerſity, including the beadles, ſhield bearers, familiars, ſervants, writers, ſtationers, parchment-makers, with their wives, children, and ſervants; and obliged the magiſtrates of the city of Glaſgow, when they entered on their offices, to take an oath before the chancellor of the dioceſs, to protect the univerſity in all its privileges. In a word, William biſhop

of

of Glaſgow granted the ſame privileges, almoſt in the ſame words, to his univerſity of Glaſgow, that Henry biſhop of St. Andrew's had before granted to his univerſity of St. Andrews's; and both theſe prelates uſed the ſtyle of independent ſovereigns, preſcribing laws and granting privileges to their ſubjects [25].

Ill endowed.

But though the powers, privileges, and immunities of this new univerſity and college were ſufficiently ample, their endowments and revenues were very ſmall. For ſome time they ſeem to have had no poſſeſſions or fixed revenues, but to have depended entirely on occaſional donations, and the fees paid by the ſtudents. They could the more eaſily ſubſiſt in this manner, that the rector, the principal regent, the other regents, and even many of the ſtudents, were beneficed clergymen or monks. It appears alſo, from the moſt ancient matriculation-rolls, that the reſt of the ſtudents were, for the moſt part, young noblemen or gentlemen; few perſons of inferior rank having either the ambition or ability to give their ſons an univerſity-education [26]. Biſhop Turnbull, it is ſaid, intended to have endowed his favourite univerſity, which he conſidered as his child, with certain rents and tenements; but he went to Rome, and died there in the prime of life, only about nine months after he had granted the above charter, without having executed his intention.

[25] Ex Archivis Univer. Glaſgowen. [26] Ibid.

Lord Hamilton a great benefactor.

The college of Glaſgow received its firſt valuable benefaction, which gave it a ſolid foundation and eſtabliſhment, from the noble family of Hamilton, who ſeem to have the beſt title to the honour of being its founders. James lord Hamilton, and his lady Euphemia counteſs of Douglas, by a deed or charter, dated at Glaſgow, 6th January A. D. 1459, granted to their beloved Duncan Bunch, principal regent, to the other regents, and to the ſtudents in the college, or faculty of arts, in the univerſity of Glaſgow, and their ſucceſſors, a tenement on the eaſt ſide of that ſtreet in Glaſgow which leads from the cathedral to the market croſs, for their accommodation, with four acres of ground adjacent. The principal regent, with the other regents and ſtudents, accordingly took up their reſidence in that tenement (on the ſite of which the preſent college is built), and lived in a collegiate manner. In this charter, the lord and lady Hamilton frequently call themſelves the founders of the college of Glaſgow; and in return for this valuable benefaction, they oblige the members of their college to perform a variety of religious rites for the benefit of the ſouls of their founders. In particular, they oblige them, every day after dinner and ſupper, to ſtand up and pray, for the good ſtate of the univerſal church, for the king and queen of Scotland, and of the ſouls of lord and lady Hamilton their founders. Beſides this, they oblige all the members of their college who were prieſts, to ſay a great number of maſſes every

every year, for the ſouls of their founders, and for the ſouls of all thoſe from whom the lord Hamilton had taken any thing, and had never made any return [27]. This was a very common method of compenſating injuries in thoſe ſuperſtitious times; and to this many churches and monaſteries, as well as colleges, owed their exiſtence.

[27] Ex Archivis Univer. Glaſgowen.

THE HISTORY OF GREAT BRITAIN.

BOOK V.

CHAP. V.

History of the Arts in Great Britain, from the acceſſion of Henry IV. A. D. 1399, *to the acceſſion of Henry* VII. A. D. 1485.

THE frequent wars in which the people of Britain were engaged in this period, were as unfriendly to the improvement of the arts as to the advancement of learning. The art of war, indeed, was cultivated with the greateſt ardour, and many improvements were made in the ſcience of ſhedding human blood; while ſome of the moſt neceſſary and uſeful arts were allowed to languiſh and decline. But it is proper, and may be both uſeful and amuſing, to take a more attentive view, firſt of the neceſſary, and then of the pleaſing arts, in this period

Decline of arts.

SECTION I.

Hiſtory of the neceſſary Arts in Britain, from A. D. 1399 *to* A. D. 1485.

Agriculture.

AGRICULTURE, the moſt neceſſary and uſeful of all arts, could not flouriſh or be much improved, when thoſe who cultivated the ſoil were little better than ſlaves, and laboured not ſo much for themſelves, as for their haughty maſters, who, in general, treated them with little kindneſs, and leſs reſpect.

Diſtreſs of labourers.

Theſe unhappy ruſtics were not even permitted to purſue their humble toils in peace, but were liable every moment to be called from the plough into the field of battle, by a royal proclamation, or by the mandates of their own arbitrary lords. Such multitudes of this moſt uſeful order of men actually fell in battle, or were deſtroyed by the accidents and fatigues of war, that hands were wanting to carry on the neceſſary operations of huſbandry. This occaſioned loud complaints of the ſcarcity of labourers, and of the high price of labour. Many laws were made to reduce and fix the price of labour, to compel men to become labourers, and to reſtrain them from following other occupations [1]. In one of theſe ſtatutes it is ſaid, that noblemen and others were greatly diſtreſſed for want of labourers and ſervants

[1] See Statutes, 7th Hen. IV. ch. 17.; 2d Hen. V. ch. 4.; 4th Hen. V. ch. 4.; 2d Hen. VI. ch. 14; 23d Hen. VI. ch. 12.

in

in huſbandry; and therefore it was enacted, "That "whoever had been employed at the plough, or "cart, or any other huſbandry-work, till he was "twelve years of age, ſhould be compelled to "continue in that employment during life." It was further enacted, "That none who had not "lands or rents of the value of twenty ſhillings "a year (equivalent to ten pounds at preſent), "ſhould be permitted to put any of their ſons ap-"prentices to any other trade, but ſhould bring "them all up to huſbandry." Theſe hard laws, which infringed ſo much on natural liberty, were enforced by very ſevere penalties: a proof that the evil they were intended to remedy was very ſenſibly felt [z].

Change in agriculture.

But theſe and ſeveral other laws, limiting the price of labour, ſeem to have had little or no effect. The ſcarcity of labourers ſtill continued, and with the increaſing ravages of war increaſed, and at laſt produced a memorable revolution in the ſtate of agriculture, which made a mighty noiſe for many years. The prelates, barons, and other great proprietors of land, kept extenſive tracts of them around their caſtles, which were called their demeſne lands, in their own immediate poſſeſſion, and cultivated them by their villains, and by hired ſervants, under the direction of their belieffs. But theſe great landholders having often led their followers into the fields of war, their numbers were gradually diminiſhed, and hired ſervants could not be procured on reaſonable terms. This obliged

[z] Statutes, 7th Hen. IV. ch. 17.

the

the prelates, lords, and gentlemen, to incloſe the lands around their caſtles, and to convert them into paſture-grounds. This practice of incloſing became very general in England about the middle of this period, and occaſioned prodigious clamours from thoſe who miſtook the effect of depopulation for its cauſe. For when we conſider, that the importance, honour, and ſecurity of the nobles, knights, and gentlemen of thoſe times, depended more upon the number of their followers, than on the greatneſs of their eſtates, we cannot ſuppoſe it poſſible that the generality of them, nearly about the ſame time, would have agreed to expel their faithful followers from their demeſne lands, in order to cover them with defenceleſs flocks and herds, if they had not been compelled to do it by ſome very general and powerful cauſe. We learn from the beſt authority, the teſtimony of many acts of parliament, that the depopulation of the country, and the difficulty of procuring labourers, was the real cauſe of this remarkable revolution.

Complaints on that account.

John Rouſe of Warwick was a moſt violent declaimer againſt the nobility and gentry who incloſed their lands; and a conſiderable part of his Hiſtory of England conſiſts of the moſt bitter invectives againſt them; calling them depopulators, deſtroyers of villages, robbers, tyrants, baſiliſks, enemies to God and man; and aſſuring them, that they would all go to the devil when they died[3]. This zealous enemy to incloſures tells us, that he

[3] J. Roſſi Hiſt. Ang. p. 39—14. p. 88—96. p. 114—137.

preſented

preſented a petition againſt them to the parliament that met at Coventry A. D. 1459, which was totally diſregarded; and that ſeveral petitions to ſucceeding parliaments had been equally unſucceſsful [4]. But though John Rous was a contemporary writer, no great regard is due to his opinions, as he was evidently a ſuperficial obſerver, and a weak credulous man. In his declamations againſt thoſe hated depopulators, he informs us that one of that character had actually been ſeen in hell, by a certain prieſt who was carried thither on the back of a devil, with whom he was familiar; that the prieſt was a little averſe at firſt to truſt himſelf on the back of his infernal friend, till the devil gave him his word of honour, that he would bring him back in ſafety; which he faithfully performed [5].

Continued too long.

But though this alteration in agriculture was introduced at firſt by the ſcarcity of labourers, and the high price of labour, it cannot be denied, that the humour of incloſing arable lands, and converting them into paſtures, was at length carried too far; and early in the ſucceeding period, we ſhall find that parliament interpoſed to ſtop its progreſs [6].

Dearths.

The frequent dearths which happened in this period, is another evidence of the imperfect ſtate of agriculture. In the preſent age, when grain is double its ordinary price, it is accounted a great dearth, and is very ſeverely felt by the great body of the people. But in thoſe times grain was fre-

[4] J. Roſſii Hiſt. Ang. p 120.
[5] Id. p. 94.
[6] Statutes, 4th Hen. VII. ch 16. 19.

quently triple or quadruple its uſual price, which muſt have produced a grievous famine[7]. The moſt common price of a quarter of wheat in this period ſeems to have been about 4 s. or 4 s. 6 d. at the rate of 40 s. or 45 s. of our money at preſent. But we are informed by a contemporary hiſtorian, that in A. D. 1437 and 1438, the price of a quarter of wheat in many places was no leſs than 1 l. 6 s. 8 d. (equivalent to 13 l. 6 s. 8 d. at preſent); and the price of all other kinds of grain in the ſame proportion to their odinary prices[8]. In this extremity, the common people endeavoured to preſerve their wretched lives, by drying the roots of herbs, and converting them into a kind of bread[9].

Cheapneſs of grain.

It muſt be confeſſed, that in the courſe of this period grain of all kinds was ſometimes exceedingly cheap. Wheat was ſold, A. D. 1455, in ſome places, at 1 s. the quarter[10]. But this was not ſo much owing to any improvements in huſbandry, as to an extraordinary importation of corn from the continent in order to procure a ſupply of Engliſh wool. This exceſſive importation, which threatened the ruin of the Engliſh farmers, excited the moſt violent complaints, and gave occaſion to a corn-law, A. D. 1463. By that law it was enacted, that no grain of any kind ſhould be imported, when wheat was below 6 s. 8 d. rye

7 See Chronicon Preciofum, p. 9—114.
8 Hiſt. Croyland. p. 518.
9 Ibid.
10 Stow, p. 398.

under

under 4 s. and barley under 3 s. per quarter; which were high prices, and called for a ſupply from abroad [11].

But the great decreaſe in the value of land is the ſtrongeſt proof of the decline of agriculture in this period. There are ſome examples of land ſold at twenty-five years purchaſe in the reign of Edward III. which, it is probable, was not much above the common price [12]. But there is the fulleſt evidence that land had fallen in its value to ten years purchaſe, in the reign of Edward IV. For that prince promiſed, by proclamation, a reward of 1000 l. in money, or an eſtate of 100 l. a-year, to any who ſhould apprehend the duke of Clarence, or the earl of Warwick [13]. It is even probable that land was ſometimes ſold conſiderably lower. Sir John Forteſcue, adviſing Edward IV. to reward his ſervants with money, rather than with land, ſays, "It is ſuppoſed, that to ſum of "them is givyn 100 l. worth land yerely, that would "have hold him content with 200 l. in money, if "thay might have had it in hand [14]." So deplorable are the effects of long and frequent wars, eſpecially of inteſtine wars, in a country not overſtocked with inhabitants. Low value of Land.

If agriculture declined in England in this period, it declined ſtill more in Scotland, as that unhappy country had ſuffered more in proportion to In Scotland.

[11] Statutes, 3d Edw. IV. ch. 2.
[12] Godwin de Præſulibus Angl. p. 116.
[13] Rym. Fœd. tom. 11. p. 654.
[14] Forteſcue on abſolute and limited Monarchy, p. 85.

its

its population and wealth, by long and ruinous wars. The low ſtate of its agriculture in this period is evident from the laws that were made for its improvement. By one of theſe laws, A. D. 1424, it is enacted, "That ilk man of ſimple "eſtate, that ſould be of reſſoun labourers, have "owther half an ox in the pleuh, or elſe delve ilk "day vii fute of length, and vii on bread [15]." Another law, A. D. 1457, is thus expreſſed: "Anent the ſawing of quheit, peis, and beinis, it "is ſene ſpeidfull, that ilk man crend with a pleug "of viii oxen, ſhall ſaw at the leaſt ilk yeir, ane "firlot of quheit, half an firlot of peis, and forty "beins, under the pane of x s. to the barrone of "that land that he dwells in.—And giff the bar-"rone ſaws not the ſaid corn in his domainis, he "ſall pay to the king x ſh [16]." How different from this is the preſent ſtate of agriculture in North Britain?

Gardening. Orchards and gardens were cultivated in this as well as in former periods; but if any great improvements were now made in that branch of agriculture, by the introduction of new fruits, plants, herbs, or flowers, they have eſcaped my reſearches. The following verſes of king James I. of Scotland contain a deſcription of the royal garden at Windſor, as it appeared about A. D. 1420.

[15] Black Acts, fol. 7.
[16] Ibid.

Now was there maid faſt by the Touris wall
A gardyn faire, and in the corneris ſet,
Ane herbere grene, with wandis long and ſmall
Railit about; and ſo with treis ſet
Was all the place, and hawthorn hegis knet,
That lyf[17] was non walkyng there forbye
That myght within ſcarce any wight aſpye.

So thick the beuis and the levis grene,
Beſchadet all the allyes that there were,
And middis every herbere might be ſene
The ſcharp grene ſuete junipere,
Growing ſo fair with branchis here and there,
That as it ſemyt to a lyf without,
The bewis ſpred the herbere all about[18].

In Scotland.

That excellent and moſt accompliſhed prince, James I. who was not a mere ſcholar, but poſſeſſed no little ſkill in many of the uſeful as well as elegant arts, laboured with great ardour to inſpire his ſubjects with the love, and to inſtruct them in the practice, of theſe arts, and, amongſt others, of the art of gardening. "At his leiſure hours (ſays a con-
"temporary hiſtorian, who was well acquainted
"with him), he not only indulged himſelf in mu-
"ſic, in reading and writing, in drawing and paint-
"ing, but when the circumſtances of time and
"place, and the taſte and manners of thoſe about
"him, made it proper, he would ſometimes in-
"ſtruct them in the arts of cultivating fields
"and pleaſure gardens, and of planting and in-

[illegible]

[17] Lyf living perſon.
[18] Poet. remains of James I.

" grafting different kinds of fruit-trees [30]." That illuſtrious prince, Henry V. though, for political reaſons, he kept the unfortunate James a priſoner during his whole reign, and would probably never have conſented to his enlargement, could not help admiring his virtues and accompliſhments, and acknowledging, that the ſubjects would be happy who were governed by ſuch a prince [31].

Cultivating graſſes unknown.

Though greater attention was paid to the breeding and feeding of ſheep and cattle in this than in any former period, the ſowing of graſſes and the manuring of paſtures were quite unknown.

Making ſalt.

Salt is at all times an important article, and was of ſtill greater importance in thoſe times, when ſalted meats were ſo much uſed; and yet the art of making it was very imperfectly underſtood in England. Henry VI. being informed, that a new and better method of making ſalt had been invented in the Low Countries, he invited John de Sheidame, a gentleman of Zealand, with ſixty perſons in his company, to come into England, to inſtruct his ſubjects in the new method of making ſalt, promiſing them protection and encouragement [32].

Architecture.

It would be improper, on many accounts, to encumber the pages of a general hiſtory, with tedious minute details of every trivial tranſitory change in the neceſſary or pleaſing arts, which had little or no effect on the appearance of the country or the ſtate of its inhabitants. This was never

[30] Scoticron. lib. 16. c. 30.
[31] Rym. Fœd. tom. X. p. 761.
[32] Id. ibid.

pro-

promiſed or intended in this work; in which it is only deſigned to introduce, in their proper times, ſuch uſeful inventions and important improvements in the arts, as were productive of real and permanent advantages. It is not neceſſary, therefore, in this place to give a detailed deſcription of the ſtate of architecture, as that was very nearly the ſame in this as in the preceding period.

Though great guns were now uſed both in the attack and defence of places, no alterations were yet made in conſtructing and fortifying ſuch places. The prodigious thickneſs and ſolidity of the walls of the Anglo-Norman caſtles, made any alteration to appear unneceſſary, as they ſeemed to be ſufficiently ſtrong to reſiſt any force with which they could be aſſaulted. The truth is, that the people of England, in this period, were much more employed in beating down than in building. Many large, ſtrong, and magnificent caſtles were demoliſhed or diſmantled during thoſe deſolating civil wars between the houſes of York and Lancaſter, but very few were built. For at the ſame time that theſe caſtles were deſtroyed, their noble proprietors, who might have rebuilt them, were either killed or ruined. So many of the artificers alſo employed in building, fell in theſe and other wars, that they became exceedingly ſcarce, and the price of their labour very high; and all the laws made to remedy this evil proved ineffectual [a]. Scot- Military.

[a] See Statutes, 4th Hen. IV. c. 14. 2d Hen. V. c. 4. an. 4. c. 5. 8th Hen. VI. c. 3. 31. 8. c. 8. 9. 13. c. [illegible]

land was in the ſame ſituation in this reſpect. Maſons and carpenters were ſo few, that they undertook more works than they could execute; the trouble and expence of building were ſo great, that it became neceſſary to make laws to compel men of fortune to build [23].

Sacred. The taſte for founding and building monaſteries and churches did not prevail ſo much in this as it had done in ſome preceding periods. This was partly owing to the unhappy ſtate of the country; and partly to the doubts which had been raiſed in the minds of many perſons of all ranks, by Wickliffe and his followers, concerning the merit of thoſe pious but expenſive works. It cannot be denied, however, that the ſtyle of ſacred architecture, commonly called the *Gothic*, continued to be gradually improved, and in the courſe of this period was brought to the higheſt perfection. Of this moſt lofty, bold, and perfect ſtyle of Gothic architecture, ſeveral ſpecimens remain entire; and as theſe ſtructures were juſtly admired in the age in which they were erected, they are ſtill beheld with pleaſure, not without ſurpriſe. Of this kind are—the divinity ſchool at Oxford—the chapel of King's college at Cambridge—the collegiate church of Fotheringay—the chapel of St. George at Windſor, and ſeveral other churches in England [24]. Specimens of this kind are alſo to be

[23] Black Acts, James I. c. 89, 90, 91.

[24] Warton's Obſervations on the Fairy Queen, vol. 2. p. 182, &c.

found

found in Scotland, as the college church in Edinburgh—that chapel which is now the veſtry to the old church in the ſame city—the palace-church in Linlithgow—the eaſt church in Stirling, &c. which were all built in this period.

King's college chapel.

To prevent the neceſſity of a minute deſcription of the peculiarities of this ſtyle of architecture, it may be proper to lay before the reader the plan of King's college chapel in Cambridge (the moſt admired edifice of this kind), extracted from the laſt will of its royal founder, Henry VI. by one of our hiſtorians. "The words of the will are theſe—"As touching the dimenſions of the church of my "ſaid college, of our Lady and St. Nicholas at "Cambridge, I have deviſed and appointed, that "the ſame church ſhall containe in length 288 "foot of aſſize, without any iles, and all of the "wideneſs of forty foot. And the length of the "ſame church, from the weſt end, unto the altars "at the quire door, ſhall contain 120 foot, and "from the provoſt's ſtall unto the ſteps called "Gradus Chori, 90 foot, for 36 ſtalls on either "ſide of the ſame quire, anſwering to 70 fellows, "and 10 prieſts conduits, which muſt be *De prima forma*. And from the ſaid ſtalls to the eaſt end "of the church, 22 foot of aſſize. Alſo a rere-doſſe bearing the roodloft, departing the quire "and the body of the church, containing in length "40 foot, and in breadth 14 foot. The walls of "the ſame church to be in height 90 foot, em-battled, vaulted, and chere-rooffed, ſufficiently "butteraced, and every butteface fined with finials.

" And in the eaſt end of the ſame church ſhall " be a window of nine days, and betwixt every " butterance a window of five days. And be- " twixt every of the ſame butteraces in the " body of the church, on both ſides of the ſame " church, a cloſet, with an altar therein, contain- " ing in length 20 foot, and in breadth 10 foot, " vawlted and finiſhed under the ſoyle of the iſle " windows. And the pavement of the church to " be enhanced four foot above the ground with- " out; and the pavement of the quire one foot and " a half above the pavement of the church [a]." This light, lofty, and beautiful ſtructure was founded A. D. 1441, and conſecrated A. D. 1443, though it was not finiſhed till ſome years after; and is ſtill in excellent preſervation.

Civil architecture.

If many churches and caſtles were deſtroyed by the deſolating wars of this period, a much greater number of villages and private dwellings were demoliſhed or deſerted. John Rouſe of Warwick names no fewer than ſixty villages, within twelve miles of that city, ſome of them formerly large and populous, with churches and manor houſes, that were deſtroyed and abandoned [b]. In ſuch circumſtances, no improvements could be made in civil architecture that merit inveſtigation. It is ſufficient to obſerve in general, that the common people were but indifferently lodged; and that the manſions of the great were more magnificent than comfortable.

[a] Stow's Annals, p. 383. [b] J. Roſſi Hiſt. Ang. p. 122.

The

Metallic arts.

The arts of mining, of refining and working metals, ſo uſeful in themſelves, and ſo neceſſary to all the other arts, were greatly improved in England in the fourteenth century, as appears from that brief delineation of them in the fifth chapter of the fourth book of this work [27], to which the reader is referred. We have no reaſon to think that any of the metallic arts declined, but rather that they were improved and multiplied in our preſent period. The efforts of ingenious men to diſcover an univerſal medicine, and a method of refining the baſer metals into gold and ſilver, were more ſtrenuous and more encouraged in this than in any preceding period; and though theſe efforts did not ſucceed to their wiſh, they improved their knowledge of the nature of metals, and of the arts of working them. Thoſe wars which were hurtful to other arts and artiſts, were favourable to thoſe employed in fabricating defenſive armour and offenſive arms, with which every man, both in England and Scotland, was obliged by law to be furniſhed.

Mining.

Though tin and lead had long been ſtaple commodities of England, and valuable articles of export, the Engliſh miners were not believed to be ſo ſkilful in their profeſſion as thoſe of Germany. Henry VI. therefore, having failed in all his attempts to procure the precious metals by alchymy, brought over, A. D. 1452, Michael Gofflelyn, George Hartryke, Matthew Lawſton, three Ba-

[27] See the eighth volume.

mous miners, with thirty other miners, from Bohemia, Auſtria, and Hungary, to ſuperintend and work the royal mines, and inſtruct his ſubjects in their art [21]. Of the ſucceſs of this project we have no account.

Gilding. As gold and ſilver were very ſcarce in England in this period, the art of gilding a great variety of goods made of baſer metals, to give them the appearance of plate, was much practiſed; and ſome of theſe gilders had ſo much art, and ſo little honeſty, as to ſell their gilded wares at the price of real plate. To puniſh ſuch as ſhould be guilty of this groſs impoſition, and alſo to prevent the uſe, or rather the waſte, of too much gold and ſilver in gilding, it was enacted by parliament, A. D. 1403, "That no artificer, nor other man, whatſoever he "be, from henceforth ſhall gilt nor ſilver any "locks, rings, beads, candleſticks, harneſs of "girdles, chalices, hilts nor pomels of ſwords, "powder-boxes, nor covers for cups, made of "copper or latten, upon pain to forfeit to the "king 6 s. at every time that he ſhall be found "guilty, and to make ſatisfaction to the party "grieved for his damages; but that (chalices ex-"cepted) the ſaid artificers may work, or cauſe to "be wrought, ornaments for the church of copper "and latten, and the ſame gilt or ſilver; ſo that "always in the foot, or in ſome other part of "every ſuch ornament ſo to be made, the copper, "and the latten ſhall be plain, to the intent that "a man may ſee whereof the thing is made, for

[21] Rym. Fœd. tom. 11. p. 317.

"to eſchew the deceit aforeſaid [29]." By a ſubſequent law, gilders were ſtill further limited; and embroiderers, having been guilty of ſimilar frauds, were ſubjected to ſimilar penalties [30].

Diviſion of labour.

It hath been juſtly obſerved, that as arts are improved, labour is gradually more and more divided; and that this diviſion of labour contributes to their further improvement [31]. The manufacturers of metals in England were now divided into many branches, and many articles of hard-ware were manufactured by them, that had formerly been imported. In conſequence of petitions to the laſt parliament of this period, from the pinners, cutlers, blade-ſmiths, blackſmiths, ſpurriers, gold-beaters, founders, card-makers, wiremongers, copperſmiths, of London and other cities, towns, boroughs, and villages, an act was made, prohibiting the importation of all the following articles:—Harneſs for girdles, pins, knives, hangers, tailors-ſhears, ſyſors, andirons, tongs, fire-forks, gridirons, ſtock-locks, keys, hinges, and garnets, ſpurs, beaten gold or beaten ſilver wrought in papers for painters, horſe-harneſs, bits, ſtirrups, buckles, chains, latten nails with iron ſhanks, turnels, ſtanding candleſticks, hanging candleſticks, holy-water ſtops, chaffing-diſhes, hanging lavers, curtain-rings, cards for wool (except Roan cards), claſps for gowns, buckles for ſhoes, broaches, bells (ex-

[29] Statutes, 5th Hen. IV. ch. 13.
[30] Ibid. 8th Hen. V. ch. 5; 23d Hen. VI. ch. 9.
[31] See Dr. Smith's excellent work on the Wealth of Nations, vol. I.

cept

cept hawks-bells), tin and leaden ſpoons, wire of latten and iron, iron candleſticks, grates, or any other articles manufactured by the petitioners[32]. This is a ſufficient proof, to which others might be added, that the metallic arts were improved, multiplied, and diffuſed, in the courſe of this period; though they were ſtill but in their infancy, in compariſon to the magnitude, multiplicity, and perfection, at which they have ſince arrived.

Clothing arts.

The great importance of the cloathing arts, particularly of the woollen manufacture, was now ſo well underſtood in England, that the calamities and confuſions of war only retarded, but could not prevent, the progreſs and improvement of thoſe arts, and of that manufacture. The Engliſh had at length diſcovered and regarded theſe two obvious truths:—That it was better to manufacture their own clothing of their own wool at home, than to pay foreigners abroad for doing it;—and that wool made into cloth was a more valuable article of export, than in the fleece. Kings and parliaments, in the preceding period, endeavoured to induce and compel the people to act upon theſe maxims, by making ſevere laws againſt the exportation of wool and the importation of cloth[33]. By the operation of theſe laws, and other concurring cauſes, the number and ſkill of the people employed in the woollen manufacture gradually increaſed; and at the beginning of this period, that

[32] Statutes, 1ſt Richard III. ch. 12.

[33] See vol. 8. book 4. ch. 5. § 1.

moſt

moſt valuable manufacture, which hath contributed ſo much to the proſperity and wealth of England, was widely diffuſed and firmly eſtabliſhed[24].

Laws for their encouragement.

Though the kings, lords, and commons of England, in this period, were too much engaged in war, they did not neglect an object of ſo great importance as the woollen manufacture. On the contrary, no fewer than twelve acts of parliament were made in the ſhort and turbulent reign of Henry IV. for the regulation and encouragement of that manufacture; for preventing the exportation of wool and importation of cloth; and for guarding againſt frauds in the fabrication of it at home[25]. Henry V. was too much engaged in projects of ambition and conqueſts to pay proper attention to manufactures; but in the ſucceeding reigns, a great number of ſtatutes were made for the improvement of the clothing arts[26]. From theſe ſtatutes, which afford the beſt hiſtorical evidence, it plainly appears, that the woollen manufacture had now ſpread from one end of England to the other, and produced, not only ſufficient quantities of cloths of various kind for home conſumpt, but alſo great quantities for exportation.

Silk.

The arts of ſpinning, throwing, and weaving ſilk, were brought into England in this period, and practiſed by a company of women in London, called *ſilk-women*. Upon a petition of this female company to parliament, A. D. 1455, repreſenting,

[24] Anderſon's Hiſt. Com. vol. 1. p. 259.
[25] See Statutes temp. Hen. IV.
[26] See Statutes temp. Hen. VI. Edw. IV. Rich. III.

that

that the Lombards and other Italians imported ſuch quantities of ſilk thread, ribbons, corſes, &c. that they were in danger of being reduced to great poverty, an act was made for prohibiting the importation of any of the articles manufactured by theſe ſilk-women [37]. Theſe articles conſiſted only of laces, ribbons, and ſuch narrow fabricks, in no great quantities. From ſuch ſmall beginnings did the preſent great ſilk manufacture of England derive its origin. Towards the end of this period, about A. D. 1480, men began to engage in the ſilk manufacture, which, before that time, had been wholly performed by women [38].

Art of war.

As the deſtructive art of war was much ſtudied and practiſed, it was alſo much improved, in this period; and various changes were introduced in the manner of raiſing, forming, and paying armies, in their arms, operations, diſcipline, &c. The moſt important of theſe improvements and changes ſhall be deſcribed in as few words as poſſible.

Raiſing armies.

The feudal military ſervices were always performed with reluctance, gradually decreaſed in efficacy, and at this time were not to be depended upon for raiſing an army, eſpecially for a foreign expedition. When ſuch an expedition, therefore, was intended, our kings raiſed the beſt part of their armies, by entering into indentures with their own duke, earls, barons, and knights, and with foreign chieftains; who engaged to ſerve them, on

[37] Statutes, 33d Hen. VI. ch. 5.
[38] 22d Edw. IV. ch. 3.

a certain expedition (deſcribed in the indenture,) for a certain time, with a ſtipulated number of men at arms and archers, at a fixed price. Theſe indentures contained ſeveral other covenants and regulations reſpecting the ſervice which makes it proper to lay the ſubſtance of one of them before the reader. By an indenture between Henry V. and Henry Lord Scroope, it is ſtipulated, That the ſaid Lord Scroope ſhall attend and ſerve the king, one year, in an expedition into France, with thirty men at arms, and ninety archers on horſeback; himſelf to be one of the men at arms; the reſt to conſiſt of three knights and twenty-ſix eſquires:—That lord Scroope ſhall receive for his own daily pay, 4 s.; for each of the knights, 2 s.; for each of the eſquires, 1 s.; and for each of the archers, 6 d.;—That, beſides this pay, the lord Scroope ſhall receive the uſual *regard* (or doucier), at the rate of 100 marks per quarter, for thirty men at arms:—That all priſoners taken by Lord Scroope and his troops, in the ſaid expedition, ſhall belong to him, except kings, kings ſons, generals, and chieftains, who ſhall be delivered to the king, on his paying a reaſonable ranſom to the captors. The other articles relate to the ſecurities and terms of payment, the time and manner of muſters, &c. and are not very material. This indenture was made 29th April A. D. 1415, when Henry V. was preparing for his firſt expedition into France; about which time many others of the ſame kind were concluded [59].

[59] Rym. Fœd. tom. 9. p. 230.

The

Continued.

The chieftains, who contracted with the king to ſerve him with a certain number of troops, made ſimiliar contracts with ſmall bodies of men at arms and archers to make up that number. Thus, for example, Thomas earl of Saliſbury engaged by an indenture dated June 1, A. D. 1415, William Bydyk, Eſq. a man at arms, to ſerve under him with ten archers, for one year, in the intended expedition into France, at the daily pay of 1 s. for himſelf, and 6 d. for each of his archers. From this contract it appears, that the *regard* (as it was called), at the rate of 100 marks per quarter for every ſixty men at arms, belonged wholly to the chieftain, to enable him to keep a table for his men at arms; and that he had alſo a right to the third part of all the plunder, and of the ranſom of all the priſoners taken by thoſe under his command [4]. Theſe military contracts were very beneficial to the great barons of thoſe times, which made them fond of war, eſpecially of foreign expeditions, by which many of them were greatly enriched in the victorious reign of Henry V.; though their country was almoſt ruined by their pernicious victories.

Pay of ſoldiers

We cannot but obſerve, that the pay of ſoldiers of all ranks, in an army raiſed in this manner, was very high. The daily pay of a duke was one mark, equivalent to about 7 l. of our money; of an earl, 6 s. 8 d. equivalent to 3 l. 10 s.; of a baron, 4 s. equivalent to 2 l.; of a knight, 2 s. equi-

[4] Rym. Fœd. tom. 9. p. 258.

valent to 1 l.; of an eſquire or man at arms, 1 s. equivalent to 10 s.; of an archer, 6 d. equivalent to 5 s [41]. The pretences for this high pay were theſe,—the ſhortneſs of the ſervice, and the great expences they were at in furniſhing themſelves with horſes, armour, arms, clothing, victuals, ſervants, and every thing, except ſhipping and artillery. But however juſt theſe pretences might be, the expence of an army of this kind ſoon exhauſted all the revenues of the crown, and almoſt all the reſources of the country. Henry V. had not only expended all the treaſure he had been amaſſing for two years by borrowing, and every other art, but was obliged to pawn his crown, and his moſt valuable jewels, before he embarked on his firſt expedition againſt France [42]. When will poſterity profit by the errors of their anceſtors?

Different method.

When an invaſion or rebellion was apprehended, and a great army to be raiſed in a ſhort time, to repel the one, or ſuppreſs the other, a different and leſs expenſive method was purſued. The king ſummoned all the military tenants of the crown to attend him in arms; ſent letters to the archbiſhops, biſhops, deans, archdeacons, abbots, and priors, to arm and array all their clergy, to defend the church and kingdom againſt the enemies of God and the king; and iſſued proclamations to the ſheriffs of the ſeveral counties, commanding them to array all the able-bodied men in their counties,

[41] Rym. Fœd. tom. 9. p. 227.
[42] Id. ibid. p. 257. 284. 285.

between

between the age of ſixteen and ſixty; at the ſame time granting commiſſions to certain knights and gentlemen in each county, to divide the men, when raiſed, into regiments of 1000, and companies of 100, and parties of 20, to train and conduct them to the place of rendezvous [43]. By theſe means very great armies were raiſed in a few weeks, at a very ſmall expence. On preſſing occaſions, the great barons made voluntary offers to ſerve the king with a certain number of knights, men at arms, and archers, without pay or reward; and ſome of them to fit out ſhips, at their own expence, for the protection of the coaſts [44].

Diſcipline. Armies that were ſo ſuddenly raiſed, and, after a ſhort ſervice, as ſuddenly diſmiſſed, could not be well diſciplined. Henry V. ſeems to have been the firſt of our kings who was ſenſible of the importance of regular movements and united efforts; and was at much pains to teach his troops to march in ſtraight lines, at proper diſtances, with a ſteady meaſured pace, to advance, attack, halt, and even fall back, at the word of command, without breaking their ranks. This diſcipline, imperfect as it was, gave him great advantages over the French, who in thoſe times were almoſt as tumultuary in advancing to an attack, as in flying from a defeat. To this ſuperior diſcipline of his troops that prince was indebted for his ſucceſs as general, and particularly for his great victory at Agincourt; as ap-

[43] Rym. Fœd. tom. 8. p. 123. 134. 146. 270; tom. 9. p. 216. 253, &c.

[44] Id. tom. 8. p. 126.

pears

pears from the account given of that famous battle, and from the contemporary hiſtorians, from whom that account is taken [a].

Archers.

Though the men at arms, covered with poliſhed armour from head to foot, and mounted on great horſes, were the moſt ſplendid and moſt expenſive, they were not the moſt uſeful troops. The archers formed the chief ſtrength of the Engliſh armies, and were the great inſtruments of all their victories in this period. The archers ſometimes gained great victories without the leaſt aſſiſtance from the men at arms; as, particularly, the deciſive victory over the Scots at Hamildon, A. D. 1402. In that bloody battle, the men at arms did not ſtrike a ſtroke, but were mere ſpectators of the valour and victory of the archers [b]. The earl of Douglas, who commanded the Scotch army in that action, enraged to ſee his men falling thick around him, by ſhowers of arrows, and truſting to the goodneſs of his armour (which had been three years in making), accompanied by about eighty lords, knights, and gentlemen, in complete armour, ruſhed forward, and attacked the Engliſh archers, ſword in hand. But he ſoon had reaſon to repent his raſhneſs. The Engliſh arrows were [illegible] ſharp and ſtrong, and [illegible] charged with ſo much force, that no armour could repel them. The earl of Douglas, after receiving five wounds, was made priſoner; and all his brave companions were either

[a] See chap. 1. p. 51.

[b] Otterbourne, p. 236. Walſing. p. 366.

killed or taken[47]. Philip de Comines acknowledges, what our own writers aſſert, that the Engliſh archers excelled thoſe of every other nation; and ſir John Forteſcue ſays again and again,—"that the might of the realme of England ſtandyth "upon archers[48]." The ſuperior dexterity of their archers gave the Engliſh a great advantage over their capital enemies, the French and Scots. The French depended chiefly on their men at arms, and the Scots on their pikemen; but the ranks of both were often thinned and thrown into diſorder by flights of arrows before they could reach their enemies.

In Scotland.

James I. who had ſeen and admired the dexterity of the Engliſh archers, and who was himſelf an excellent archer, endeavoured to revive the exerciſe of archery among his own ſubjects, by whom it had been too much neglected[49]. With this view, he ridiculed their awkward manner of handling their bows, in his humorous poem of Chriſt's Kirk on the Green; and procured the following law to be made in his firſt parliament, A. D. 1424, immediately after his return to Scotland: "That "all men buſk thame to be archares fra the be 12 "years of age, and that at ilk ten punds worth of "land thair be made bow markes, and ſpeciallie "near paroche kirks, quhairn upon halie dayis "men may cum, and at the leiſt ſchute thryſe

[47] Walſing. p. 366.

[48] Forteſcue on the Difference between an abſolute and limited Monarchy, p. 88. 90. Philip de Comines, l. 1. p. 27.

[49] Scotieron. lib. 16. c. 38.

about,

" about, and have uſage of archarie; and quhaſa " uſis not archarie, the laird of the land ſall rais " of him a wedder; and giff the laird raiſis not " the ſaid pane, the king's ſhiref or his miniſters " ſall rais it to the king[50]." But the untimely death of that excellent prince prevented the effectual execution of this law.

Fire-arms.

It hath been already obſerved, that the changes introduced into the art of war by the invention of gunpowder were very ſlow[51]. The martial adventurers of thoſe times were not fond of changing the arms to which they had been accuſtomed; and it was difficult to find inſtruments to manage and direct an agent ſo impetuous as gunpowder. The inſtruments employed for that purpoſe, for almoſt two centuries, were called by the general name of *cannon*, though they were of many different kinds, ſhapes, and ſizes, diſtinguiſhed from each other by particular names, as culverines, ſerpentines, baſiliſks, fowlers, ſcorpions, &c.[52]. All theſe ancient cannons were made of iron only, without any mixture, till towards the end of this period, when a mixed and harder metal was invented, called *font-metal* or *bronze*[53].

Cannon.

The cannons of this period were of very different ſizes, ſome of them exceedingly large, and others very ſmall. We read of ſome cannons that diſcharged balls of 500 pounds weight, and required fifty horſes to draw them, and of others not much

[50] Black Acts, fol. 4.

[51] See vol. 2. ch. 5. § 1.

[52] Rym Fœd. tom. 12. p. 140. Daniel, Milice Françoiſe, tom. 1. p. 322.

[53] Id. ibid. p. 325.

heavier than a muſket; and between theſe two extremes there were many gradations. Monſtrelet mentions a cannon caſt by John Maugué, a famous founder, A. D. 1478, that threw a ball of 500 lb. from the Baſtile to Charenton; and Philip de Comines acquaints us, that there were 10,000 men armed with culverines in the Swiſs army at the famous battle of Morat, A. D. 1476[54]. Theſe ſmall culverines, or hand-cannon, as they were ſometimes called, were carried ſome of them by one man, and ſome of them by two men, and fired from a reſt. They ſeem to have been firſt brought into Britain by the Flemings who accompanied Edward IV. in his return to England, A. D. 1471; for theſe troops, in number 300, were armed, it is ſaid, with hand-guns[55].

Carts of war.

The Scots had a kind of artillery peculiar to themſelves in this period, called *carts of war*. They are thus deſcribed in an act of parliament, A. D. 1456: "It is thocht ſpeidfull, that the king "mak requeiſt to certain of the great burrous of "the land that are of ony myght, to mak carts of "weir, and in ilk cart twa gunnis, and ilk ane "to have twa chalmers, with the remanent of the "graith that effeirs thereto, and an cunnand man "to ſhute thame." By another act, A. D. 1471, the prelates and barons are commanded to provide ſuch carts of war againſt their old enemies the Engliſh[56].

[54] Monſtrelet Contin. p. 69. Comines, lib. 5. c. 3.
[55] Ireland's Collectanea, vol. 2. p. 503.
[56] Black Acts, James II. act 52. James III. act 55.

Many of the canon-balls uſed in this period were made of ſtone. Henry V. gave a commiſſion, A. D. 1419, to John Louth, clerk of the ordnance, and John Bennet, maſon in Maidſtone, to preſs a ſufficient number of maſons to make 7000 cannon-balls, in the quarries of Maidſtone-heath [57]. Even towards the end of this period, ſome of the cannon-balls were made of ſtone, and others of metal. Edward IV. gave a commiſſion to one William Temple, A. D. 1481, to preſs maſons, ſmiths, and plumbers, to make cannon-balls, ſome of ſtone, ſome of iron, and ſome of lead [58]. It is a curious and well-atteſted fact, that the art of diſcharging red-hot balls from cannon was known and practiſed early in this period. When an Engliſh army, commanded by the duke of Glouceſter, beſieged Cherbourg, A. D. 1418, the beſieged (as we are told by a contemporary writer of the beſt credit) diſcharged red-hot balls of iron from their cannon into the Engliſh camp, to burn the huts in which the ſoldiers were lodged [59]. Balls of ſtone.

The cannon that were uſed in ſhips of war in this period were few in number, and of a ſmall ſize. This appears from the following authentic account of the furniture of the ſhip called the Queen's-hall, in which Henry IV. ſent his daughter Philippa, queen of Sweden, Denmark, and Norway, to her huſband. Henry Somer, keeper of the private wardrobe in the Tower, delivered to William Lovency, treaſurer to queen Philippa, for Ship guns.

57 Rym. Fœd. tom. 9. p. 552. 58 Id. tom. 12. p. 140.
59 Thomas de Elmham, Vita Hen. V. p. 155.

the armament of her ſhip—2 guns—40 pounds of powder for theſe guns—40 ſtone balls—40 tompions—1 mallet—2 firepans—40 paviſes—24 bows—and 40 ſheffs of arrows[60]. From the above account, it is probable that each of theſe guns required only one pound of powder for a charge. But when ſhips were fitted out for a warlike expedition, they were a little better armed.

Field artillery.

Gunpowder and cannon were not much uſed in fields of battle for a conſiderable time after they were invented. Though they were ſometimes uſed before, Edward IV. was the firſt king of England who depended much on his field-pieces, or derived any great advantage from them. In the battle of Stamford, fought by that prince againſt a numerous army of his rebellious ſubjects, commanded by ſir Robert Wells, "the king (we are informed by "a contemporary hiſtorian) ſparkeled his enemies "with his ordinance, ſlew many of the commons, "and thereby gained the victory[61]." The train of field-artillery prepared by Edward, A. D. 1481, to repel a formidable invaſion threatened by the Scots, muſt have been conſiderable, ſince it required a great number of oxen and horſes to draw it, and conſiſted of ſix or ſeven different kinds of cannon[62].

Art of attacking forts.

No part of the military art was more ſtudied, or better underſtood, by the Engliſh in this period,

[60] Rym. Fœd. tom. 8. p. 447.
[61] Leland's Collectanea, vol. 2. p. 502.
[62] Rym. Fœd. tom. 12. p. 140.

eſpecially

eſpecially in the reign of Henry V. than that of attacking ſtrong places. That heroic prince had no opportunity of fighting many battles; but he beſieged and took many cities, towns, and caſtles, that were ſtrongly fortified, bravely defended, and believed to be impregnable. Theſe ſieges are deſcribed at conſiderable length by two contemporary hiſtorians; from whoſe writings the following very brief account of the modes of the attack and defence of places in this period is collected [61].

Continued.

When Henry V. had inveſted a city or town where he expected a vigorous reſiſtance, and apprehended an attempt to raiſe the ſiege, he ſecured his army from the beſieged by lines of contravallation, and from the enemy without, by lines of circumvallation, ſtrengthened by palliſadoes, and ſmall towers of wood at proper diſtances. In ſummer he lodged his men in tents, and in winter in huts diſpoſed in regular ſtreets. Approaches were made by trenches; batteries were conſtructed, and planted with machines for throwing great ſtones, and with battering cannon to make breaches in the walls. Under the protection of the artillery, the ditch was filled up with branches of trees, earth, and ſtones. In the mean time, the miners were employed in making approaches under ground; and theſe being ſometimes met by counterminers, bloody ſkirmiſhes were fought between the beſiegers and beſieged. In theſe ſkirmiſhes in the mines Henry himſelf frequently engaged. The

[61] See Monſtrelet, tom. 1. Thomas de Elmham, *paſſim*.

beſiegers and beſieged annoyed each other by flights of quarrels from their croſs-bows, and by large bodies of combuſtible materials ſet on fire and diſcharged from engines. By theſe means Henry took every city, town, and caſtle in France, that he beſieged, either in perſon or by his generals, though ſome of them were defended, with great bravery, to the laſt extremity.

Art of printing.

An art was invented on the continent, and introduced into this iſland, in this period, which, though it cannot be called neceſſary, is certainly moſt excellent and uſeful. This was the art of printing; which hath contributed ſo much to diſpel that darkneſs in which the world was involved, and diffuſe the light of religion, learning, and knowledge of all kinds. But though printing hath thrown much light on every other ſubject, its own origin remains in ſome obſcurity; and there have been many diſputes about the time when, the place where, and perſon by whom, it was invented. Without entering into theſe diſputes (in which Britain is not concerned), it may be ſufficient to ſay, that, upon the whole, it ſeems moſt probable, that Laurentius Coſter, keeper of the cathedral of Haerlem, conceived the firſt idea of printing about A. D. 1430; and between that time and A. D. 1440, when he died, printed ſeveral ſmall books in that city, with wooden types tied together with threads. As this art was likely to be very profitable, Laurentius kept the ſecret with great care, and wiſhed to tranſmit it to his family. But this deſign did not ſucceed. For about the time of his death,

death, John Geinsfleich, one of his workmen, made his escape from Haerlem, carrying with him, it is said, some of his master's types, and retired to Mentz, and there began to print with wooden types, A. D. 1441, being encouraged and supplied with money by John Fust, a wealthy citizen. About two years after he settled at Mentz, John Geinsfleich, or his assistant John Gutenberg, invented metal-types, and set them in frames; which was so great an improvement, that the city of Mentz claimed the honour of being the place where printing was invented[64]. From Haerlem and Mentz, this noble art was gradually conveyed to other cities of Germany, Italy, France, England, and other countries.

In England.

All our historians and other writers, who flourished in or near those times, and mention the introduction of printing into England, unanimously, and without hesitation, ascribe that honour to Mr. William Caxton, mercer and citizen of London[65]. Attempts have since been made to deprive him of that honour, in favour of one Corsellis, who, it is pretended, printed here some years before him. But the story of Corsellis is in many particulars improbable; and there seems still to be good reason to believe that Mr. Caxton was really the first printer of England[66]. This modest, worthy, and industrious man hath been already noticed as an historian; he was also the translator of many books

[64] See Meerman, Mattaire, Marchand, Palmer, Ames, &c. on the history of printing.

[65] See Dr. Middleton's works, 4to, vol. 3. p. 245. [66] Id. ibid.

out

out of French into Engliſh; but he merited moſt of his country by introducing the art of printing. After he had ſerved his apprenticeſhip to an eminent mercer in London, he went into the Low Countries, A. D. 1442, as agent to the mercers company, and reſided abroad about thirty years. He was appointed by Edward IV. A. D. 1464, his ambaſſador to negotiate a treaty of commerce with Philip duke of Burgundy, one of the greateſt princes in Europe; and when the lady Margaret, king Edward's ſiſter, was married to Charles duke of Burgundy, A. D. 1468, he was greatly favoured and much employed by that active princeſs[67]. Though Mr. Caxton was now about fifty-ſix years of age, being a man of great curioſity and indefatigable induſtry, he acquired, "at grete charge "and diſpenſe" (as he ſays himſelf), ſo complete a knowledge of the new and admired art of printing, that he actually printed, A. D. 1471, at Cologn, a book which he had tranſlated out of French into Engliſh, called *The Recule of the Hiſtories of Troye*[68]. Having preſented a copy of this book to his patroneſs, the ducheſs of Burgundy, for which he was well rewarded, and diſpoſed of as many copies as he could on the continent, he came over to England, A. D. 1472, bringing with him the remaining copies, as ſpecimens of his ſkill in the art[69]. Encouraged by Thomas Milling, abbot of Weſtminſter, and others,

[67] Rym. Fœd. tom. II. p. 591.
[68] Middleton, p. 249.
[69] Ames, p. 2—5.

he

he ſet up a printing preſs, A. D. 1473, moſt probably in the almonry of Weſtminſter abbey, where it is certain he wrought a few years after; and from that preſs he produced, in March A. D. 1474, a ſmall book tranſlated by himſelf out of French, called *The Game at Cheſs*, which is the firſt book we know with certainty was printed in England [70]. From this time to his death, A. D. 1491, he applied with ſo much ardour to tranſlating and printing, that though he was an old man, he publiſhed about fifty books, ſome of them large volumes, and many of them tranſlated by himſelf [71]. How productive is inceſſant labour, and how worthy are ſuch men as Caxton of a place in the hiſtory of their country?

Though Mr. Caxton was the firſt, he was not the only printer in England in this period. Theodore Rood, John Lettow, William Machelina, and Wynkyn de Worde, foreigners, and Thomas Hunt, an Engliſhman, printed in London both before and after the death of Mr. Caxton; by whom, it is probable, the foreigners were brought into England, and employed as his aſſiſtants [72]. A ſchoolmaſter of St. Alban's, whoſe name is not preſerved, ſet up a preſs at that place; and ſeveral books were printed at Oxford between A. D. 1478 and 1485 [73]. In the colophon of one of the books Printers.

[70] Middleton, p. 249. Ames, p. 5.
[71] Id. ibid. See Biographia Britannica, in Caxton.
[72] Ames, p. 76—110. Middleton, p. 24[illegible].
[73] Id. p. 239. 243.

printed

printed there in the laſt of theſe years, are the following verſes:

Celatos, Veneti, nobis tranſmittere libros
Cedite, nos aliis vendimus, O Veneti!

which ſeem to indicate, that the Engliſh printers were not only able to anſwer the demand for books at home, but even exported ſome of their works [74].

In Scotland.

No book hath yet been diſcovered printed in Scotland in this period. But it is highly probable that the firſt productions of the Scottiſh preſs periſhed in the almoſt total deſtruction of the cathedral and monaſtic libraries at the Reformation. The Scots had great intercourſe with the Low Countries, where that art was much practiſed. James III. was exceedingly fond of the arts, and of artiſts, and no leſs fond of books; and therefore could not but wiſh to introduce this admired art into his dominions. I have now before me a large, beautiful, and ſplendid book, which belonged to that prince, as appears from the following inſcription, in the hand-writing of thoſe times, on the blank leaf fronting the title-page:—*Iſte liber pertinet Excellentiſſimo et invictiſſimo Principi Jacobo Tertio, Dei gratia, Scotorum Regi Illuſtriſſimo.* A little below is the king's ſubſcription, *Jacobus Tertius R.* in a very ſtrong and beautiful hand. It is a voluminous ſyſtem of ſcholaſtic moral philo-

[74] Middleton, p. 240.

ſophy

ſophy, called *Speculum Moralitatis* (the Mirror of Morality), compoſed by the famous Dr. Vincentius, conſiſting of 278 leaves in large folio, of very thick and white paper, without ſignatures, catchwords, pages, or folios, beautifully printed in two columns, and in ſome places finely illuminated. At the end is this colophon: *Vincentii Speculi Moralitatis liber ſecundus, in quo de quatuor noviſſimis diſſeritur, finit feliciter* * * *, without printer's name, place, or date. But from the form of the letter, the great number of abbreviations, the want of ſignatures, catchwords, and folios, and ſome other marks, it appears to have been printed about A. D. 1470, moſt probably at Venice. This is indeed no proof that printing was introduced into Scotland in this period; but it is a proof that James III. was at the pains and expence of procuring the moſt ſplendid and voluminous productions of the preſs from foreign countries.

SECTION II.

Hiſtory of the fine and pleaſing Arts of Sculpture Painting, Poetry, and Muſic, in Britain, from A. D. 1400 *to* A. D. 1485.

War unfriendly to the fine arts.

IF the frequent wars in which the people of Britain were engaged in this period were unfriendly to the neceſſary, they could not be favourable to the fine and pleaſing arts; and if any of theſe flouriſhed, it muſt have been owing to ſome accidental

dental circumſtances. For the muſes and the graces naturally fly from ſcenes of tumult and devaſtation, and delight in the calm and ſecurity of national proſperity and peace. A very brief account, therefore, of theſe arts, in this place, will be ſufficient.

Sculpture. We have good reaſon to believe, that ſculptors and ſtatuaries were more employed, and better rewarded for their works, in this than in any former period, which muſt have contributed to the improvement of their art. The followers of Wickliffe condemned the worſhip of images in the ſtrongeſt terms; and ſeveral of them ſubmitted to ſuffer the moſt painful death, rather than to acknowledge the lawfulneſs of that worſhip[1]. This alarmed the clergy, and made them redouble their efforts to inſpire the minds of the people with a ſuperſtitious veneration for images. With this view, they not only propagated many ſtories of miracles wrought by images, but they increaſed the number of them, and grudged no expence to procure ſuch as, by the excellence of their workmanſhip, the beauty of their appearance, and the richneſs of their dreſs, were likely to excite the admiration, and inflame the devotion, of the multitude towards them[2]. Theſe efforts were not unſucceſsful. There was no time in which the worſhip of images more prevailed, than in the age immediately before the Reformation; nor was there any thing which the people of England then relinquiſhed with greater reluctance, than the

[1] Fox, p. 476, 477. [2] Id. p. 489, &c.

images in their churches. Theſe, however, were at length completely removed and deſtroyed; which puts it out of our power to judge by inſpection of the degree of excellence to which ſculpture had arrived in this period. A few ſtatues ſtill remain in niches, on the outſide of ſome of our cathedrals, particularly on the weſt end of the cathedral of Wells; and though theſe outſide ſtatues were probably not the works of the beſt artiſts, they afford no unfavourable ſpecimen of this art in thoſe times [3].

Statues.

The taſte of adorning ſepulchral monuments with ſtatues, and figures in baſſo and alto relievo, prevailed as much, both in Britain and on the continent, in this as in any period; and this taſte procured much employment to the ſculptor and ſtatuary. Many of theſe monuments, with their ſtatues, were defaced or ruined with the conventual churches in which they were placed; but thoſe on the monuments in other churches eſcaped much better than the images which had been objects of adoration; and great numbers of them are ſtill remaining [4]. If we had proper drawings and deſcriptions of theſe monuments, with their ſtatues and other ornaments, they would not appear inferior to thoſe of France, of which very elegant drawings and deſcriptions have been publiſhed [5]. For we know with certainty, that Engliſh artiſts were employed in erecting monuments for ſome of

[3] Brown Willes Metr. Abb. vol. 2. p. 325. Warton on Spencer, vol. 2. p. 197.
[4] Strutt, vol. 3. p. 184.
[5] See Montfaucon, Monumens François, tom. 3.

the

the great princes on the continent. Thomas Colyn, Thomas Holewell, and Thomas Poppehowe, made the alabaſter tomb of John IV. duke of Britanny, in London, carried it over, and erected it in the cathedral of Nantes, A. D. 1408 [6]. We know alſo, that the great Engliſh barons of thoſe times expended much money on their monuments, and employed, in executing them, the beſt artiſts that could be found [7]. A few of theſe artiſts were foreigners; but the greateſt number of them were natives of England. Of the five artiſts who were employed, in erecting the monument of Richard Beauchamp earl of Warwick (who died A. D. 1439), and adorning it with images, four were Engliſhmen, viz. two marblers, one founder, and one copperſmith; the other artiſt was a Dutch goldſmith. The number of images adorning this monument was thirty-two, beſides the great image of the earl. Theſe were all caſt of the fineſt latten, by William Auſtin founder, of London, and gilded with gold, by Bartholomew Lambeſpring, the Dutch goldſmith [8]. Though the beauty of this monument, and its various ornaments, is much impaired by time, yet ſome parts of it are in ſuch preſervation, as to give us a favourable idea of the ſkill of theſe artiſts, and of the improving ſtate of their ſeveral arts. This monument, with the chapel of our lady in St. Mary's church, War-

[6] Rym. Fœd. tom. 8. p. 510.

[7] See Monumenta Weſtmonaſterienſia. Weaver's Funeral Monuments. Dugdale's Warwickſhire. Stow's Survey, &c. &c.

[8] Dugdale's Warwickſhire, vol. 1. p. 445, 446.

wick,

wick, in which it was erected, coſt 2481l. 4s. 7d. equivalent to 24,800l. of our money at preſent [9]. In a word, in an age when hardly any perſon of rank or wealth died who had not a monument erected to his memory, with his effigies, in free-ſtone, marble, or metal upon it, the artiſts who were employed in erecting theſe monuments, having ſo much employment, and ſo great encouragement, could not fail to make improvements in their arts.

Painting.

The reigning ſuperſtitions of thoſe times, with the vanity of the rich and great, contributed as much to the improvement of painting, as of the arts above mentioned, by furniſhing conſtant employment, and good encouragement, to a great number of painters. For as cathedral, conventual, and other rich churches, were crowded with crucifixes and images, and their chapels with ſepulchral ſtatues, ſo the walls of both were almoſt covered, and their windows almoſt obſcured, with paintings of various kinds, as pictures of our Saviour, the Virgin Mary, the apoſtles, and other ſaints, ſcripture-hiſtories, allegorical and armorial pieces, &c. All theſe paintings have been long ago deſtroyed, except a few fragments of painted glaſs; but we have ſufficient evidence that they did exiſt, and that many of them were painted in this period. "John Carpenter, town-clerk of London, in the "reign of Henry V. cauſed, with great expences, "to be curiouſly painted upon board, about the "north cloiſter of St. Paul's, a monument of

[9] Dugdale's Warwickſhire, vol. 1. p. 447.

" Death, leading all eſtates, with the ſpeeches of " Death, and anſwer of every ſtate [10]." This famous picture, called the *Dance of Death*, contained the figures of perſons in all the different ranks of life, in their proper dreſſes, and was painted in imitation of one of the ſame kind, in the cloiſter adjoining to St. Innocent's church-yard in Paris. The French verſes were tranſlated into Engliſh by John Lydgate, the poetic monk of Bury [11]. The expence of painting the above-mentioned monument of Richard earl of Warwick, and the chapel, was conſiderable; and theſe paintings were of different kinds, and performed by different artiſts. John Prudde, glazier in Weſtminſter, engaged to glaze the chapel " with glaſs from beyond the ſeas, " of the fineſt colours, of blue, yellow, red, pur- " pure, ſanguine, and violet, and of all other " colours that ſhall be moſt neceſſary and beſt, to " make rich and embelliſh the matters, images, " and ſtories, that ſhall be delivered to him, by " patterns on paper, afterwards to be newly traced " and pictured by another painter, in rich colour, " at his charges [12]." It is not improbable, that the fifty-three delineations, illuſtrating the hiſtory of this earl of Warwick, by John Rouſe, who then reſided at Warwick (contained in a MS. in the Cotton library), which have been publiſhed by Mr. Strutt, are the very patterns that were deli-

[10] Stow's Survey of London, vol. 1. p. 261.

[11] Dugdale's St. Paul's, p. 134. Walpole's Anecdotes of Painting, vol. 1. p. 71. 8vo.

[12] Dugdale's Warwickſhire, vol. 1. p. 446.

vered to John Prudde to be painted on the windows of the chapel, or that theſe delineations were copied from the windows after they were painted [13]. However this may be, the glaſs and workmanſhip coſt 108 l. equivalent to 1080 l. of our money [14]. John Brentwood ſteyner, of London, covenanted, "to paint fine and curiouſly on the weſt wall of "the chapel, the dome of our Lord God Jeſus, "and all manner of devices and imagery thereto "belonging, of fair and ſightly proportion;" for which he was to receive 13 l. 6 s. 8 d. equivalent to 130 l.[15] Chriſtian Coliburne painter in London covenanted "to paint in moſt fine, faireſt, and "curious wiſe, four images of ſtone ordained for "the new chapel in Warwick; whereof two prin-"cipal images, the one of our Lady, the other of "St. Gabriel the angel; and two leſs images, one "of St. Anne, and another of St. George: theſe "four to be painted with the fineſt oil colours, in "the richeſt, fineſt, and freſheſt clothings that "may be made of fine gold, azure, of fine pur-"pure, of fine white, and other fineſt colours ne-"ceſſary, garniſhed, bordered, and powdered, in "the fineſt and curiouſeſt wiſe [16]." We have no opportunity of knowing with what taſte theſe paintings were executed; but it was certainly intended that they ſhould be very fine.

Portrait-painting had not yet become faſhionable, and we hardly hear of any portraits that were Portrait-painting.

[13] See Strutt, vol. 3.
[14] Dugdale, vol. 3.
[15] Id. ibid. p. 447.
[16] Ibid.

painted in this period, except thoſe of a few great princes, prelates, and nobles [17]. As this branch of the art, therefore, was not much cultivated, it was not much improved. The portraits of the kings and queens of England, and of a few other eminent perſons of thoſe times, which are ſtill preſerved, have been examined by a gentleman of diſtinguiſhed taſte; and on his authority it may be ſafely pronounced, that portrait-painting in Britain was then in a very imperfect ſtate [18]. In the muſæum of the ſociety of Antiquaries of Scotland, lately eſtabliſhed at Edinburgh, by a royal charter, there is a portrait, in oil colours, well preſerved, with the following inſcription, in Spaniſh, at the bottom, "The moſt excellent and moſt ſerene "lord T. George Innes, a native of Scotland, "miniſter-provincial and vicar-general of Eng-"land, cardinal, who flouriſhed A. D. 1412, and "wrote thoſe books." The books are painted near the top of the picture on a ſhelf, with the following titles, in Latin: "Deſcription of Jeruſa-"lem in its deformity—Lamentations of the "Holy Land—Griefs of the Virgin Mary—Hiſ-"tory of the order of the Holy Trinity for the "redemption of captives." The cardinal is drawn in the habit of the order of the Trinity (in which he made a conſpicuous figure, as ſuperior of the convent at Aberdeen, miniſter-provincial for Scotland, and at laſt vicar-general for England, Scot-

[17] See Hon. Mr. Walpole's Anecdotes of Painting, ch. 2, 3.
[18] Id. ibid.

land,

land, and Ireland), with the croſs of that order on his breaſt, and the red mantle of a cardinal above his habit. On his head he hath a ſmall red bonnet, and the large red hat on a table before him. In his right hand, extended, he holds a pen, in his left a ſcroll of paper; his eyes are lifted up, his face turned a little to one ſide, with ſtrong expreſſions of intenſe thought and contemplation. This picture hath probably been preſerved by the care of the ancient and honourable family of Innes in Aberdeenſhire, from which the cardinal was deſcended, and was lately preſented to the ſociety by a gentleman of that family. If it was really painted in Spain A. D. 1412, only two years after painting in oil is ſaid to have been invented by John Van Eyck, it affords another preſumptive proof, that this invention is more ancient than is commonly believed.

Illuminators.

The illuminators of books ſupplied the place both of hiſtory and portrait-painters in this period, and preſent us with the pictures of many eminent perſons of both ſexes, and repreſentations of various tranſactions, in miniature. This delicate art of illuminating was chiefly cultivated by the monks, and carried to a high degree of perfection. Many beautiful ſpecimens of this art are ſtill remaining in the Britiſh muſæum, and other libraries; and prints of a conſiderable number of them have been publiſhed by Mr. Strutt [1]. Though theſe prints do not exhibit the bright and vivid

[1] See Strutt's Eccleſiaſtical and Civil Antiquities of England.

colours of the originals, they give us a view, not only of the perſons and dreſſes of our anceſtors, but alſo of their cuſtoms, manners, arts, and employment, their arms, ſhips, houſes, furniture, &c. and enable us to judge of their ſkill in drawing and colouring. Their figures are often ſtiff and formal; but their ornaments are in general fine and delicate, and their colours clear and bright, particularly their gold and azure. In ſome of theſe illuminations the paſſions are ſtrongly painted. How ſtrongly, for example, is terror painted in the faces of the earl of Warwick's ſailors, when they were threatened with a ſhipwreck, and grief in the countenances of thoſe who were preſent at the death of that hero [20]? After the introduction of printing, this elegant art of illuminating gradually declined, and at length was quite neglected.

Poetry.

Geoffrey Chaucer and John Gower, the illuſtrious fathers of Engliſh poetry, died in the beginning of this period; and after their death, that pleaſing art evidently declined and languiſhed. Of this their ſucceſſors ſeem to have been ſenſible, acknowledged them for their maſters, and loaded them with praiſes.

Praiſe of Chaucer and Gower by James I.

James I. king of Scotland, an excellent poet, as well as moſt accompliſhed prince, concludes his poem called *The Kings Quair* with a kind of dedication of it to the memory of theſe two great poets, then lately dead.

[20] See Strutt, vol. 2. plates 56. 58.

Unto

Unto impnis of my maiſteris dere,
Gowere and Chaucere, that on the ſteppis ſatt
Of rethorike, quhill thai were lyvand here,
Superlative as poetis laureate,
In moralitee and eloquence ornate,
I recommend my buk in lynis ſeven,
And eke their ſaulis unto the bliſſe of hevin [21].

Occleve, who ſeems to have been perſonally acquainted with Chaucer, and to have received inſtructions from him in poetry, frequently laments his death in very pathetic ſtrains: By Occleve.

My dere mayſter, God hi[s] ſoul quite,
And fader Chaucer fayne would have me taught;
But I was dule, and learned lyte or naught,
Alas! my worthy mayſter honourable,
This londis very treſour and recheſe,
Deth, by thy deth, hathe harme irreparable
Unto us done [22].

John Lydgate, the poetic monk of Bury, was no leſs laviſh in his praiſes of Chaucer: By Lydgate.

My maiſter Chaucer . . . . . .
And if I ſhall ſhortly hym deſcrive,
Was never none to thy[s] daye alyve,
To reken all, bothe of young and olde,
That worthy was his inkehorne for to holde [23].

As theſe three writers, who thus celebrated their illuſtrious predeceſſors, were unqueſtionably the beſt

[21] Poetical Remains of James I. p. 162.
[22] Warton's Hiſtory of Poetry, vol. 2. p. 42.
[23] Lydgate's Siege of Troy, book 5.

poets of this period, it is neceſſary to give a brief account of their genius and principal works.

James I. unfortunate.

As James I. of Scotland was one of the moſt accompliſhed princes that ever filled a throne, he was alſo one of the moſt unfortunate. After ſpending almoſt twenty years in captivity, and encountering many difficulties on his return into his native kingdom, he was murdered by barbarous aſſaſſins, in the prime of life. In the monuments of his genius he hath been almoſt equally unfortunate. No veſtiges are now remaining of his ſkill in architecture, gardening, and painting; though we are aſſured by one who was well acquainted with him, that he excelled in all theſe arts [24]. Many of the productions of his pen have alſo periſhed; for he tells us himſelf that he wrote much [25]; and we know of only three of his poems that are now extant, viz. Chriſt's Kirk of the Green—Peebles to the Play—and the King's Quair, which was lately diſcovered by Mr. Warton, and hath been publiſhed by another gentleman [26]. But ſlender as theſe remains are, they afford ſufficient evidence, that the genius of this royal poet was not inferior to that of any of his contemporaries; and that it was equally fitted for the gayeſt or the braveſt ſtrains.

Chriſt's Kirk.

The firſt of the above mentioned poems is well known, and hath been often printed. It is a ludi-

[24] Scoticron. lib. 16. cap 30.

[25] King's Quair, canto 1. ſtan. 13.

[26] See Poetical Remains of James I. publiſhed by William Tytler of Woodhouſelee, Eſq. Warton's Hiſt. Poet. vol. 2. p. 125.

crous deſcription of a country-wedding, at Chriſt's Kirk in Aberdeenſhire, which began with muſic and dancing, and ended in a fray. The awkward gambols and merriment of the country-people, and the comical incidents of a quarrel which enſued between two young men, and ſoon became general, with the ridiculous attitudes, actions, and ſpeeches of the combatants (who threatened much, and performed little), are deſcribed in ſtrains of wit and pleaſantry highly entertaining to thoſe who underſtand the language. The laſt ſtanza, which deſcribes a cowardly braggadochio, who appeared with terrible threats, after the fray was ended, and when he knew there was no danger, may be given as a ſpecimen :

Quhen all wes done, Dik with ane aix
Cam furth to fell a ſuddir [27],
Quod he quhair ar yon hangit ſmaix,
Rycht now wald ſlane my bruder :
His wyf bad him ga hame, Sib glaiks,
And ſa did Meg his muder,
He turnit, and gait them baith their paikis,
For he durſt ding nane uder,
For feir,
At Chriſtis kirk of the Grene that day.

The hiſtorian John Major, who flouriſhed in the end of the fifteenth, and the beginning of the ſixteenth century, acquaints us, that in his time ſeveral poems which had been compoſed by James I. were repeated and admired by the people of Scot- Peebles to the play-

[27] To kill a great number.

land ;

land; particularly a very witty and pleaſant ſong, which began with theſe words, "Yas ſin, &c." and another with, "At Beltayn [28]." It had long been ſuppoſed that both theſe poems were irretrievably loſt. The laſt of them, however, hath been lately recovered and publiſhed, with this title, "Pebles to the play [29]." It is in the ſame kind of ſtanza and verſe with Chriſt's Kirk of the Green, and with the ſame pleaſantry and humour deſcribes the adventures of a company of country-people, who went to Peebles to ſee the annual games at that place. This amiable prince ſeems to have delighted in ſeeing his ſubjects in their Sunday's clothes, and in their hours of feſtivity. The firſt ſtanza may be a ſpecimen:

At Beltane, when ilk bodie bownis
To Pebles to the play,
To heir the ſingen and the ſoundis;
The ſolace, ſeith to ſay,
Be firth and foreſt furth they found;
Thay graythit tham full gay:
God wait what wald they do that ſtound,
For it was thair feeſt day,
I hay ſaid,
Of Pebles to the play [30].

King's Quair.

The chief work of king James now known, is the poem lately publiſhed, called the King's Quair, *i. e.* the king's book, conſiſting of 197 ſtanzas, of

[28] J. Major de geſtis Scotorum.

[29] It was diſcovered by Dr. Percy, and is publiſhed in a collection of ſelect Scottiſh Ballads, vol. 2. p. 1.

[30] Collection of ſelect Scottiſh Ballads, vol. 2. p. 1.

ſeven

ſeven lines each, divided into ſix cantos. It was written in honour of lady Jane Beaufort, his beautiful miſtreſs, afterwards his beloved queen; and few ladies have had ſo fine a poem compoſed in their praiſe by a royal lover.

In the firſt canto, after bewailing the uncom- Canto 1.
fortable days and reſtleſs nights he ſpent in priſon, he tell us, that one morning the bell that rung to matins ſeemed to call upon him to tell the ſtory of his love, which, after ſome heſitation, he determined to do, and invoked the aid of the nine muſes.

In the ſecond canto, he relates his ſorrowful Canto 2.
parting with his friends when he was very young, his capture and impriſonment, and again laments his loſs of liberty and long confinement, in very affecting ſtrains. He then comes to the main ſubject of his poem, the ſtory of his love; and tells us, that one morning in May, as he was looking down from the window of his priſon in Windſor, caſtle into the garden below, liſtening to the love-ſongs of nightingales, and wondering what the paſſion of love could be, which he had never felt, he adds,

And therewith keſt I doun myn eye ageyne,
Quhare as I ſaw walking under the Toure,
Full ſecretely, new cumyn hir to pleyne,
The faireſt or the freſcheſt zoung floure
That ever I ſaw, methought, before that houre,
For quhich ſodayne abate, anon aſtert,
The blude of all my body to my hert.

He

He then paints the various emotions of his heart, and the beauties of his miſtreſs, in ſtrong and glowing colours. His invocation of Venus, and his invitation of the nightingales to entertain his lady with their ſongs, are finely imagined and expreſſed. At her leaving the garden, he ſunk into the deepeſt melancholy:

> To ſene her part, and folowe I na might,
> Methought the day was turnyt into nyt, &c.

Canto 3. The third canto proves, that king James poſſeſſed the moſt rare and neceſſary qualification of a great poet, a lively and inventive fancy. He imagined that he was tranſported in a bright cloud to the planet Venus, and admitted into the palace of the queen of Love, were he beheld all who had been the votaries of that divinity divided into different claſſes, according to their different characters and fortunes. His deſcriptions of theſe different claſſes of lovers diſcover, that he had acquired an extenſive knowledge of mankind, even in the ſolitude of his priſon. The clerical and conventual lovers, who had taken vows of virginity, are thus deſcribed:

> And eſter this, upon yon ſtage adoun,
> Tho' that thou ſeis ſtand in capis wyde:
> Yon were whilom folk of religion,
> That from the warld their governance did hide,
> And freely ſervit luſe on every ſyde,
> In ſecrete, with thaire bodyis and thaire gudis,
> And lo! why ſo, they hingen down thaire hudis.

The

The deſcriptions of Cupid and Venus, his addreſs to that goddeſs, and her anſwer, diſcover an equal richneſs of expreſſion and invention. Venus, after promiſing her aid, ſends him under the conduct of Good-Hope to Minerva for advice.

The fourth canto contains his journey to the palace of Minerva, his addreſs to that goddeſs, and her anſwer. Minerva, after queſtioning him concerning the nature of his love, and being convinced by his anſwers that it was of the moſt ſincere, virtuous, and honourable kind, gives him many wiſe advices, and this amongſt others : Canto 4.

Be trewe and meke, and ſtedfaſt in thy thot,
And diligent her merci to procure,
Not onely in thy word, for word is net,
Bot gif thy werk and all thy beſy cure
Accord thereto ———

Minerva than acquaints him, that the ſucceſs of every enterpriſe depended on the decree of Heaven, which, amongſt men, was called Fortune, and directs him to

Pray Fortune help; for ſuich unlikely thing
Full oft about ſhe ſodeynly dooth bring.

He then took his leave of Minerva, and thus deſcribes his deſcent from her celeſtial palace :

. . . . . Als ſtraught as ony lyne
Within a beme, that thro the contree dyvine,
Sche pereyng through the firmament extendit,
To ground ageyne my ſpirit is deſcendit.

In

In theſe two cantos, the king very artfully contrives to put ſeveral fine compliments to his miſtreſs, into the mouths of Venus and Minerva.

Canto 5. In the fifth canto, he ſets out in queſt of Fortune, conducted by Good-Hope, and deſcribes the rivers, trees, and animals of the beautiful country through which they travelled, in very poetical language. He found the goddeſs ſitting on the ground, dreſſed in a party-coloured robe, ſometimes frowning and ſometimes ſmiling, with her wheel before her, from which he ſaw many perſons fall headlong into a profound pit, out of which few of them emerged. Having implored her aid for the ſucceſs of his love, ſhe encouraged him to mount her wheel boldly, to ſtand firm, and hold faſt; but, in aſſiſting him to mount, he ſays,

> . . . . . She by the ere me toke
> So erneſtly that there withall I woke.

anto 6. In the ſixth canto, he deſcribes the painful perplexity he was in, to know whether what had paſſed was a vain dream, or a real viſion, which could afford him any ſolid hopes. In this perplexity, he walked to the window of his priſon, where "A "turture white as calk" alighted upon his hand, with a ſtalk of gillyflowers in her beak, which ſhe deliverd to him, and took her flight. On the leaves of the flowers theſe verſes were written:

Awake!

Awake! Awake! I bring luſar, I bring
The newis glad, that blisful ben and ſure
Of thy confort; now lauch, and play, and ſing,
That art beſid ſo glad an aventure;
For in the hevyn decretit is thy cure.

Having read theſe verſes a hundred times, they diſpelled all his fears, and filled him with the moſt lively tranſports of joy.

To theſe ſix cantos is ſubjoined an epilogue, in which he pours a profuſion of bleſſings on every perſon and every thing which had contributed to the ſucceſs of his love, and paints his own happineſs in the pureſt and ſtrongeſt colours.

It is with difficulty I reſtrain myſelf from giving a fuller view of the long-loſt remains of this moſt amiable and accompliſhed prince, whoſe fame hath not been equal to his merits.

Occleve. Thomas Occleve flouriſhed in the reign of Henry V. and compoſed a conſiderable number of poems; but as few of them have been thought worthy of publication in print, it will be ſufficient to give his character as a poet, in the words of one of the beſt informed and moſt judicious critics of the preſent age. "Occleve is a feeble writer, conſidered as a poet; "and his chief merit ſeems to be, that his writings "contributed to propagate and eſtabliſh thoſe im- "provements in our language which were now "beginning to take place. His works indicate a "coldneſs of genius, and, on the whole, promiſe "no

" no gratification to thoſe who ſeek for invention " and fancy [31]."

Lydgate. John Lydgate, a monk in the great Benedictine monaſtery at St. Edmundſbury, was by far the moſt voluminous, and, in ſome reſpects, the beſt poet of this period. He compoſed verſes on a great variety of ſubjects, and many different occaſions. His principal works, which have been printed, were theſe four—The Lyfe of our Lady —The Fall of Princes—The Siege of Thebes, and—The deſtruction of Troy. Of theſe and Lydgate's other poems, the reader will find a ſatisfactory account, with many ſpecimens, in the excellent work quoted below [32]. The chief excellencies of this poet were, the ſmoothneſs of his verſification, and the ſtrength, beauty, and copiouſneſs of his deſcriptions, in which he abounds; but he ſeems to have been inferior to his contemporary king James, in originality, and the powers of invention. Lydgate was not only a good poet, but alſo a general ſcholar, acquainted with all the learning of the times in which he flouriſhed; and it is no ſmall reproach to thoſe times, that he died in his monaſtery, at an advanced age, without ever having received any preferment.

Other poets. Several other poets or rather verſifiers, appeared in this period; but they are not entitled to a place in general hiſtory. I am fully convinced, that the poems publiſhed a few years ago, under

[31] Warton's Hiſtory of Engliſh Poetry, vol. 2. p. 38.
[32] Id. ibid. p. 51—100.

the

the name of Thomas Rowlie, confeſſor to William Canning, the famous merchant of Briſtol, were neither written by that gentleman, nor by any other perſon, in this period. It is impoſſible, however, to peruſe theſe poems, without lamenting the untimely fate of the unhappy youth who was their real author.

Martial muſic.

As martial muſic was much uſed and cultivated in this period, it is probable that it was improved; but of the particulars of theſe improvements we have no certain information. The band which attended Henry V. in France, conſiſted of ten clarions, and many other inſtruments, and played an hour every morning, and another every evening, at the king's head-quarters [33].

Church muſic.

Church muſic was cultivated with as much care and diligence in this as in any preceding period. As the clergy endeavoured to captivate the eyes of the people by the magnificence of their churches, the beauty of their paintings and images, the ſplendour of their dreſſes, the pomp of their proceſſions, &c. ſo they endeavoured to charm their ears by the ſweetneſs of their muſic; eſpecially in cathedral and conventual churches, and in the chapels of kings, prelates, and great barons, where the ſervice was daily ſung by numerous bands of men and boys, to the ſound of organs. This made it neceſſary for all who aſſiſted in performing the public offices of the church, to acquire a competent knowledge of muſic, and cauſed thoſe who

[33] Monſtrelet. lib. 1. ch. 227.

excelled in that art to be much admired and well rewarded.

Studied as a ſcience.

Church muſic was not merely practiſed as an art, but the theory of it was ſtudied as a ſcience, in this period. It was one of the four ſciences which conſtituted the quadrivium of the ſchools; and was ſtudied with greater attention than any of the other three, which were, arithmetic, geometry, and aſtronomy. A conſiderable number of the youth who were educated for the church made muſic their principal ſtudy at the univerſities, in order to obtain the academical honours of bachelors and doctors of muſic; becauſe thoſe who obtained theſe honours were almoſt certain of preferment. Thomas Saintwix, doctor of muſic, for example, was appointed provoſt of King's college, in Cambridge, by its founder, Henry VI. A. D. 1463 [34].

Counter point.

Harmony was now ſuperadded to the melody or plain chant of the ancient church. Counterpoint was invented, though it was very imperfectly underſtood. This new art, as it may be called, furniſhed an ample field for exerciſing the genius and induſtry of muſical ſtudents; and this was the chief ſubject of their ſtudies. A great number of tracts on counterpoint were written in England and other countries in this period, of which the greateſt part are loſt. Many pieces of this new muſic were compoſed for the church, but very few of them have been preſerved [35]. The honour of

[34] Rym. Fœd. tom. 11. p. 510.

[35] See Dr. Burney's hiſtory of Muſic, vol. 2. c. 4, 5. Sir John Hawkins, vol. 3.

invent-

inventing counterpoint is aſcribed to the Engliſh by John Tinctor, one of the beſt writers on muſic, in this period. "Of which new art (ſays he), as "I may call it, viz. counterpoint, the fountain "and origin is ſaid to have been among the Eng-"liſh, of whom Dunſtable was the chief or "head [36]." In theſe words, the invention of counterpoint is aſcribed to the Engliſh, but not to Dunſtable, who is only ſaid to have been at the head of the Engliſh muſicians of his time, of which there is ſufficient evidence ſtill remaining [37]. John Dunſtable, famous for his ſuperior ſkill in aſtronomy and muſic, flouriſhed in the former part of the fifteenth century, and died in London A. D. 1458. Tinctor, who flouriſhed in the ſame century, could not be ignorant that counterpoint was invented before the birth of Dunſtable. It is not impropable, that what Giraldus Cambrenſis had written concerning the natural harmony practiſed by the people of Wales and the North of England in his time, gave riſe to the report that counterpoint was invented in England [38].

Studied by the laity.

Church muſic was not only admired and ſtudied by the clergy, but it was one of the moſt pleaſing amuſements of the laity, and was cultivated with diligence and ſucceſs by perſons of the higheſt rank. Henry V. was an admirer of church muſic, and amuſed himſelf with playing on the organ [39]. His contemporary, James I. of Scotland,

[36] Burney, vol. 2 p. 452.
[37] Id. ibid p. 405—412.
[38] See vol. 6. p 251, 252.
[39] Thomas de Elmham, p. 12.

was a capital performer on the organ, and even compoſed ſeveral pieces of ſacred muſic for the uſe of the church [40]. James III. being no leſs fond of muſic than of the other fine arts, invited the moſt famous muſicians to his court, and loaded them with favours. Sir William Rogers, a muſician, was one of his ſix unhappy favourites who were put to death at Lauder, A. D. 1482 [41]. Ferrerius, an Italian, who wrote the hiſtory of this prince, acquaints us, that he had converſed with ſeveral celebrated muſicians in Italy, who ſpoke in high terms of the excellence of Scotch muſic, and the munificence of James III. in whoſe court, they told him, they had been educated [42]. Theſe muſicians had probably belonged to that numerous choir which king James eſtabliſhed in the chapel of his palace in the caſtle of Stirling, and had returned into their own country after the death of their royal patron, and carried with them the knowledge of the Scotch muſic. Not only the kings, princes, and prelates, but all the great and opulent barons of thoſe times, had magnificent chapels in their caſtles, furniſhed with organs, muſicians, and ſingers; and theſe nobles, with their friends and families, attended the ſervices of the church performed in their chapels, as agreeable entertainments as well as acts of devotion [43].

[40] Scotticron, l. 16. c. 28. Aleſſandro Taſſoni, Penſieri Diverſi, lib. 10. [41] See p. 290, 291. [42] Ferrerii Hiſt.
[43] See the Northumberland Family-book, p. 323, 324, 367—377.

The

Secular muſic.

The people of Britain have in all ages delighted in ſecular or ſocial muſic. It is a ſufficient proof of this, amongſt many others that might be given, that the profeſſors of that art, the ſcalds and minſtrels, were the favourites of the great, and the idols of the people, for many ages. But long and great proſperity had the ſame effect upon theſe minſtrels, that it hath uniformly had on every order of men. It ſwelled their numbers beyond all due proportion, increaſed their avarice, inflamed their pride, and corrupted their manners, and at length loſt them that public favour which they had long enjoyed. But though the minſtrels began to decline in their credit in the preſent period, and were neither ſo highly honoured, nor ſo richly rewarded, as they had formerly been; yet ſuch of them as excelled in their art were ſtill much reſpected. Not only all our kings, but almoſt all the nobility and men of fortune, had bands of theſe ſecular muſicians or minſtrels in their ſervice, who reſided in their families, and even attended them in their journeys, for their amuſement. Theſe domeſtic minſtrels, beſides their board, clothing, and wages, which they received from their maſters, were permitted to perform in rich monaſteries, and in the caſtles of other barons, upon occaſions of feſtivity, for which they were handſomely rewarded[44]. Edward IV. A. D. 1469, on the complaint of Walter Haliday, and his other minſtrels, that many ignorant diſorderly perſons aſſumed the

[44] Warton Hiſt. Poet. vol. 1. p. 91. Northumberland Book, p. 339.

" name of minſtrels, and brought the profeſſion into " diſgrace, gave and granted a licence unto Wal- " ter Haliday, John Cuff, Robert Marſhall, " Thomas Grane, Thomas Calthorne, William " Cliff, William Chriſtian, and William Eyne- " ſham, his minſtrels, and their ſucceſſors, to be " one body and cominality, perpetual, and ca- " pable in law [45]." Edward, by the ſame charter, gave ample powers to this muſical corporation, for correcting the diſorders, and regulating the affairs, of the minſtrels. But this inſtitution neither corrected the diſorders, nor retrieved the reputation, of this fraternity.

Much of it loſt.

Many of the poems, ſongs, and ballads, that were ſung by the minſtrels and people of this period, have undoubtedly periſhed; but a conſiderable number of them have been preſerved and publiſhed [46]. They are of very different degrees of merit, and written on a great variety of ſubjects; ſome of them calculateed to entertain the great, and others to divert the vulgar. But though the words of theſe poems are preſerved, the tunes to which many of them were originally ſung are now unknown; and the moſt diligent inquirers have been able to diſcover only a very few ſpecimens of the popular muſic of this period [47].

45 Rym. Fœd. tom. II. p. 642.

46 See Reliques of ancient Poetry, Ramſay's Evergreen, and other collections.

47 Sir John Hawkins, vol. 3. p. 2—17. Dr. Burney, vol. 2. p. 405—412.

The

Secular muſic of Scotland improved by James I.

The ſecular muſic of Scotland was greatly improved at this time, not by the efforts of profeſſed muſicians, but by the ingenuity of one of her monarchs, James I. who ſeems to have been born to excel in every art and ſcience to which he applied his mind. Walter Bower, abbot of Inch-colm, who was intimately acquainted with that prince, aſſures us, that he excelled all mankind, both in vocal and inſtrumental muſic; and that he played on eight different inſtruments (which he names), and eſpecially on the harp, with ſuch exquiſite ſkill, that he ſeemed to be inſpired [48]. King James was not only an excellent performer, but alſo a capital compoſer, both of ſacred and ſecular muſic; and his fame on that account was extenſive, and of long duration. Above a century after his death he was celebrated in Italy as the inventor of a new and pleaſing kind of melody, which had been admired and imitated in that country. This appears from the following teſtimony of Aleſſandro Taſſoni, a writer who was well informed, and of undoubted credit: "We may reckon among us moderns, "James king of Scotland, who not only compoſed "many ſacred pieces of vocal muſic, but alſo of "himſelf invented a new kind of muſic, plaintive "and melancholy, different from all other; in "which he hath been imitated by Carlo Geſualdo, "prince of Venoſa, who, in our age, hath improved muſic with new and admirable inventions [49]."

[48] Scoticron, lib. 16. c. 28.

[49] Alexand. Taſſ. Penſieri Diverſi, lib. 10. Sir John Hawkins, vol. 4. p. 5, 6.

As the prince of Venoſa imitated king James, the other muſicians of Italy imitated the prince of Venoſa. "The moſt noble Carlo Geſualdo, the "prince of muſicians of our age, introduced ſuch "a ſtyle of modulation, that other muſicians yield-"ed the preference to him; and all ſingers and "players on ſtringed inſtruments, laying aſide that "of others, every where embraced his [50]." All the lovers therefore of Italian or of Scotch muſic, are much indebted to the admirable genius of king James I. who, in the gloom and ſolitude of a priſon, invented a new kind of muſic, plaintive indeed, and ſuited to his ſituation, but at the ſame time ſo ſweet and ſoothing, that it hath given pleaſure to millions in every ſucceeding age [51].

[50] Sir John Hawkins, vol. 3. p. 212.

[51] For a more complete account of Scotch muſic, ſee Mr. Tytler's diſſertation ſubjoined to his edition of the Poetical Remains of James I. Edinburgh, 1783.

THE HISTORY OF GREAT BRITAIN.

BOOK V.

CHAP. VI.

The Hiſtory of Commerce, Coin, and Shipping in Great Britain, from the acceſſion of Henry IV. A. D. 1399, *to the acceſſion of Henry* VII. A. D. 1485.

THE commerce of Great Britain hath at all times been an object of great importance, and hath contributed ſo much to the power and riches, to the comfort and happineſs, of its inhabitants, that the ſtate and progreſs of it merits our attention in every period, and is not unworthy of a place in general hiſtory. Triumphs, conqueſts, and victories, excite a more lively joy at

Importance of commerce.

the time when they are obtained, and make a greater figure in the page of hiſtory, than the peaceful, ſilent adventures of the merchant: but if they do not, in the iſſue, contribute to encreaſe the ſhips and ſailors, and to extend the trade of ſuch a country as Britain, they are of little or no utility, if they are not pernicious. Such were the celebrated victories obtained by the Engliſh in France, under their heroic king, Henry V.; almoſt equally ruinous to the victors and the vanquiſhed.

Obſtructions of trade.

The trade of Britain met with many obſtructions in the preſent period, which greatly retarded its progreſs and extenſion. The martial ſpirit that reigned in both the Britiſh nations, with the foreign or domeſtic wars in which they were almoſt conſtantly engaged, formed the greateſt of theſe obſtructions. In ſuch turbulent times, commerce could not flouriſh, when war was the only honourable occupation, the merchant was deſpiſed, his perſon and property were unſecure, and expoſed to many dangers both by ſea and land. As our kings had few ſhips of their own, whenever they had occaſion for a fleet, to fight their enemies or tranſport their armies, they preſſed into their ſervice all the ſhips as well as all the ſailors that could be found; which put a total ſtop to trade. Thus, to give one example out of many, Henry V. at his firſt invaſion of France, A. D. 1415, preſſed all the ſhips in all the ports of England, of twenty tons and upwards, to tranſport his army, &c. to

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the continent [1]. Even thoſe who were engaged in trade had imbibed ſo much of the martial, ferocious ſpirit of the times, that they frequently acted as pirates; and when they met with ſhips of inferior force, they ſeized or plundered them, without diſtinguiſhing between friends and foes. This obliged the mariners of other nations and their ſovereigns to make loud complaints to the court of England; and when they could not obtain redreſs (which was often the caſe), they were compelled to make repriſals, which increaſed the dangers of navigation, and interrupted the intercourſe between countries that were not at war [2]. It was common for the kings of England, and other princes in this period, to grant letters of marque to a ſingle merchant, empowering him to make repriſals on the ſubjects of a ſtate with which they were at peace, till he was indemnified for the loſſes he had ſuſtained from the ſubjects of that ſtate [3]. Beſides this, both the Baltic and the Britiſh ſeas were infeſted with pirates, who ſeized and plundered the ſhips of all nations without diſtinction. Neither the merchants nor the legiſlators of this period entertained juſt ideas of trade, or of the moſt effectual means of promoting it; and we may reckon the monopolizing ſpirit of the former, and the imprudent regulations of the latter, among the im-

[1] Rym. Fœd. tom. 9. p. 215—218.

[2] See Hakluyt's Voyages, vol. 1. p. 154—180. Rym. Fœd. tom. 8. p. 269. 273—276. 284. 287.

[3] Id. ibid. p. 96. 755. 773.

pediments

pediments that obſtructed its progreſs. The Britiſh merchants conſidered all foreigners who came amongſt them for the ſake of trade as interlopers and enemies; and, at their inſtigation, the legiſlature laid them under reſtrictions that were hardly tolerable. It was enacted by the parliament of England,—"That all foreign merchants ſhould "lay out all the money they received for the "goods they imported, in Engliſh merchandiſe to "be exported—That they ſhould not carry out "any gold or ſilver in coin, plate, or bullion, under "the penalty of forfeiture—That they ſhould ſell "all the goods they imported in the ſpace of three "months—That one merchant-ſtranger ſhould "not ſell any goods in England to another mer-"chant ſtranger—That when a foreign merchant "arrived in any port or town in England, a ſuffi-"cient hoſt ſhould be aſſigned him, with whom "he ſhould dwell, and no where elſe[*]." The parliaments, both of England and Scotland, made many laws againſt the exportation of gold and ſilver in any ſhape, or on any account; not reflecting, that if the balance of trade was againſt them, that balance muſt be paid in theſe precious metals, in ſpite of all the laws that could be made againſt it, and that theſe laws could ſerve no other purpoſe but to perplex and diſtreſs the merchant.

Retarded its progreſs.

But the iſland of Britain is ſo favourably ſituated for trade, and the love of gain is ſo ſtrong and general a paſſion in the human mind, that all theſe

[*] Statutes, 4th Henry V. c. 15. 5th Henry IV. c. 9, &c.

obſtructions,

obſtructions, though they retarded, did not wholly prevent the progreſs of commerce in this period, as will appear from the ſequel.

Commercial treaty

Henry IV. being a wiſe prince, and knowing the great importance of commerce, promoted it as much as the unſettled ſtate of his affairs permitted. After tedious negotiations, he put an end to the diſputes and mutual depredations that had long prevailed between the Engliſh merchants and mariners, and thoſe of the Hanſe towns of Germany, and of the ſeaport towns of Pruſſia and Livonia, ſubject to the grand maſter of the Teutonic order of knights, who then poſſeſſed theſe two laſt countries. Both parties made loud complaints, and gave in high eſtimates of the damages they pretended they had ſuſtained; and it required long diſcuſſions to aſcertain the juſtice of theſe eſtimates. At length it was agreed, A. D. 1409, that Henry ſhould pay 15,955 gold nobles to the grand maſter, and 416 of the ſame to the conſuls of the city of Hamburg, as the balance againſt his ſubjects[5]. Among other claims, the German and Pruſſian merchants demanded damages for ſome hundreds of their countrymen, who had been thrown over board and drowned by the Engliſh. To this claim Henry made anſwer—"That when we ſhall "be advertiſed of the number, ſtate, and condi- "tion of the ſaid parties drowned, we will cauſe "ſuffrages and prayers, and divers other holeſome "remedies, profitable for the ſouls of the deceaſed,

5 Rym. Fœd. tom. p. 6 1, 602.

"and

" and acceptable to God and men, to be ordained " and provided; upon condition, that, for the ſouls " of our drowned countrymen, there be the like " remedy provided by you [6]." Theſe tranſactions exhibit a ſtrange mixture of barbarity and ſuperſtition, which too much prevailed in the times we are now deſcribing.

Companies of foreigners.

Though the diſlike of the Engliſh to merchant-ſtrangers continued through the whole of this period, and they were expoſed to frequent inſults, and ſubjected by law to various hardſhips; yet ſeveral companies of them were ſettled in London and other places, under the protection of royal charters. The German merchants of the ſteel-yard formed one of the moſt ancient, opulent, and powerful of theſe companies, being a branch of the great commercial confederacy of the Hanſe towns in Germany and Pruſſia. This company had been highly favoured by Henry III. who by his charters conferred upon it various privileges and exemptions, which were confirmed by his ſucceſſors, both in the laſt and preſent period. Theſe privileges are not diſtinctly known; but it plainly appears, that they were exempted from contributing to ſubſidies, tenths, and fifteenths, and were not ſubjected to the additional duties impoſed, from time to time, on goods exported and imported; paying only the ancient cuſtoms agreed upon at the time of their eſtabliſhment, which were very ſmall [7].

[6] Hakluyt, vol. I. p. 127.

[7] See Anderſon's Hiſtory of Commerce, vol. 1. p. 141 114 120 139 240 279. 282.

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It is not to be wondered, therefore, that the Engliſh merchants were not very fond of a company of foreigners ſeated in the metropolis, and enjoying greater advantages in trade than themſelves. This company had houſes in other towns, particularly at Lynn and Boſton, and preſerved their privileges, with ſome interruptions, almoſt a century after the concluſion of this period [8]. Companies of merchants of Venice, Genoa, Florence, Lucca, and Lombardy, were alſo ſettled in England, chiefly in London, protected by royal charters, and managed the trade of the ſtates and cities to which they belonged [9]. In a word, a great part of the foreign trade of England was ſtill in the hands of theſe companies of merchant-ſtrangers.

Merchants of the ſtaple.

The merchants of the ſtaple, as they were called, were formed into a corporation, or trading company, about the beginning of the preceding period. The conſtitution and deſign of that once rich and flouriſhing company hath been already deſcribed [10]. It ſtill ſubſiſted, and, though it had met with ſome diſcouragement, was not inconſiderable. This company paid no leſs for the cuſtoms of the ſtaple commodities of wool, woolfells, woollen cloth, leather, tin, and lead, it exported, A. D. 1458, than 68,000l. containing as much ſilver as 136,000 l. of our money; which is a ſufficient proof that its dealings were then extenſive [11]. They were ſtrictly bound by their charter, and by law,

[8] Anderſon's Hiſtory of Commerce, vol. 1. p. 291. 418.
[9] Id. ibid. p. 231. 235, 236. 240. 243. 301.
[10] See vol. 8. book 4. ch. 6. [11] Anderſon, v. 1. p. 276.

to carry all the goods they exported to the ſtaple at Calais; and to land them at any other port was made felony by act of parliament, A. D. 1439 [12]. The corporation or company of the ſtaple was originally compoſed of foreigners; but by degrees ſome Engliſh merchants were admitted into it, as being fitteſt for managing their affairs in England, to which branch of the buſineſs the Engliſh were confined.

Brotherhood of St. Thomas.

The moſt ancient company of Engliſh merchants, of which there is any trace in hiſtory, was eſtabliſhed about the end of the thirteenth century, and was called—*The brotherhood of St. Thomas Becket*—in honour of that celebrated Engliſh Saint. The deſign of that company was to export the woollen cloth, which about that time began to be manufactured in conſiderable quantities in England; and as that manufacture increaſed, the trade of the brotherhood alſo increaſed. Henry IV. A. D. 1406, incorporated this ſociety by a charter, regulating their government and their privileges. By this charter, any merchant of England or Ireland, who deſired it, was to be admitted into the company, on paying a ſmall fine. As this ſociety was compoſed of the native ſubjects of the kings of England, it was favoured both by government and by the people, made gradual incroachments on the trade of the merchants of the ſtaple, and at length ruined that company [13].

[12] Statutes, 18th Hen. VI. c. 15.
[13] Anderſon, vol. 1. p. 233. 260. &c.

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Engliſh factories abroad.

The Engliſh merchants, obſerving the advantages that foreigners derived from having partners and correſpondents of their own countries ſettled in England, imitated their example, and eſtabliſhed factories in ſeveral places on the continent. Henry IV. granted a charter, A. D. 1404, to the Engliſh merchants reſiding in Germany, Pruſſia, Sweden, Denmark, and Norway, empowering them to hold general aſſemblies, to make laws, to chuſe governors, with authority to determine diſputes among themſelves, and with foreigners, and to preſerve the privileges granted to them by the ſovereigns of theſe countries [14]. The ſame king granted a ſimilar charter, A. D. 1406, to the Engliſh merchants in Holland, Zealand, Brabant, and Flanders [15]. The firſt of theſe charters being too extenſive, Henry granted a ſeparate one, A. D. 1408, to the Engliſh ſettled in the dominions of the king of Denmark, who was alſo king of Sweden and Norway [16]. Theſe charters were confirmed by Henry VI. A. D. 1428 [17]. The office and powers of theſe governors ſeem to have been nearly the ſame with thoſe of our modern conſuls; and towards the end of this period, they were called by that name, and appointed by the king. Richard III. A. D. 1585, appointed Laurentio Strozzi, a merchant of Florence, to be conſul, and preſident of all the Engliſh merchants at Piſa, and parts adjacent; "allowing him for his trouble the fourth part of

[14] Hakluyt, vol. 1. p. 184. Rym. Fœd. tom. 8. p. 360.
[15] Id. ibid. p. 464. [16] Id. ibid. p. 511.
[17] Id. tom. 10 p. 400.

"one per cent. on all goods of Engliſhmen, either "imported to, or exported thence[18]." In that commiſſion Richard ſays, he had appointed that officer in imitation of other nations; which makes it probable, that it was the firſt commiſſion of the kind granted by a king of England.

Treat'es. It would be tedious to enumerate all the commercial treaties that were made by the kings of England, with almoſt all the princes and ſtates of Europe, in this period. Theſe treaties were very neceſſary, to reſtrain the piratical ſpirit that reigned in the mariners of all nations in thoſe times: but they were very ill obſerved; and few ſeamen of any country could reſiſt the temptation of ſeizing a weaker veſſel, when ſhe fell in their way, though belonging to a friendly power. This occaſioned continual complaints of the breach of treaties, and the frequent renewal of theſe treaties. No fewer than four commercial treaties, for example, were concluded between England and the Hanſe-towns, in the ſpace of three years, from A. D. 1472 to 1474, and all to little purpoſe[19]; and we have copies of eighteen ſuch agreements between England and Flanders, in this period; which is a ſufficient evidence that none of them was well obſerved[20]. The intent of thoſe treaties was, to prevent mutual depredations at ſea, and to ſecure a friendly reception to the merchants of the contracting parties in each other's ports; and no doubt they contributed ſome-

[18] Rym. Fœd. tom. 12. p. 261.
[19] Id. tom. 9. p. 709. 780, 792.
[20] Id. tom. 8—12.

thing

thing to theſe purpoſes, though not ſo much as was intended.

Cuſtody of the ſea.

The Engliſh, in this period, were fully convinced of the importance and neceſſity of being maſters at ſea, and particularly on their own coaſts, and in the narrow ſeas between this iſland and the continent. This was moſt earneſtly inculcated upon them, by a rhiming pamphlet, written about A. D. 1433. The now unknown author of that pamphlet aſſerted, in the ſtrongeſt terms, that if the Engliſh kept the ſeas, eſpecially the narrow ſeas, they would compel all the world to be at peace with them, and to court their friendſhip [21]. The ancient duty of tonnage and poundage was granted to our kings by parliament, to enable them to guard the ſeas and protect the merchants [22]. This duty (raiſed to 3s. on every ton of wine, and 5 per cent. on all other goods imported), together with the fourth part of the ſubſidy on wool and leather, was granted by Henry IV. A. D. 1406, with conſent of parliament, to the merchants, to guard the ſeas; but payment was ſoon ſtopped, on complaints being made to the king that the ſeas were not properly guarded [23]. Henry IV. maintained the dominion of the narrow ſeas with great ſpirit, and took ample revenge on the French, Flemings, and Britons, who had inſulted the Engliſh coaſts, and interrupted the Engliſh commerce, when the king was engaged againſt the earl of Northumberland

[21] See this very curious pamphlet in Hakluyt, vol. 1. p. 167—208.
[22] Statutes, 6th Rich. II. ch. 3.
[23] Rym. Fœd. tom. 8. p. 437.

and his confederates. William de Wilford, admiral of the narrow ſeas, ſailed to the coaſt of Brittany, where he took forty of their ſhips, and burnt an equal number[24]. The earl of Kent did ſtill greater miſchief on the coaſt of Flanders; and the famous Henry Pay, admiral of the cinque-ports, took a whole fleet of French merchantmen, conſiſting of 120 ſail[25].

Victories at ſea.

The heroic Henry V. was almoſt as victorious at ſea as at land; and in his reign the fleets of England rode triumphant on the narrow ſeas. His brother John duke of Bedford obtained one naval victory, A. D. 1416, and the earl of Huntington another, A. D. 1417, over the united fleets of France and Genoa, taking or deſtroying almoſt all their ſhips; which effectually ſecured the dominion of the ſea to the Engliſh for ſeveral years[26]. Henry V. ſeems to have been the firſt king of England who had any ſhips that were his own property. At his firſt invaſion of France, he had two large and beautiful ſhips, with purple ſails, the one called the King's Chamber, the other his Hall. The author of the pamphlet above mentioned ſaith of this prince,

——At Hampton he made the great dromons,
Which paſſed other great ſhips of all the commons;
The Trinity, the Grace de Dieu, the Holy Ghoſt,
And other moe, which now be loſt[27].

[24] Walſing. Ypodigma Neuſtriæ, p. 561.
[25] Otterbourne, p. 253. Walſing. p. 376.
[26] Elmham, cap. 3. 36.
[27] Prologue of Engliſh Policie, apud Hakluyt, vol. 1. p. 2[illegible].

In

Henry VI.

In the long unhappy reign of Henry VI. eſpecially after the death of his uncle the duke of Bedford, A. D. 1435, the affairs of the Engliſh declined with great rapidity, both by ſea and land. The French, having expelled them from all their conqueſts on the continent, except Calais, inſulted them on their own coaſts, took, plundered, and burnt the town of Sandwich [28]. But the great earl of Warwick, being appointed admiral, equipped ſeveral ſquadrons, with which he ſcoured the channel, took many valuable ſhips, and in ſome degree recovered the dominion of the ſea [29].

Edward IV.

Edward IV. paid great attention to mercantile and maritime affairs, and on two occaſions collected very great fleets: firſt, when he actually invaded France, A. D. 1475; and, ſecondly, when he prepared for another invaſion of it, but was prevented by death. This prince had ſeveral ſhips that were his own property, with which he at ſome times protected the trade of his ſubjects, and at other times he employed them in trade as a merchant, which contributed not a little to his great wealth [30].

Richard III.

The reign of Richard III. was ſo ſhort and turbulent, that he had little opportunity of ſhewing his attention to the dominion of the ſea. It is, however certain, that if he had guarded the narrow ſeas with greater care, he might have prevented

[28] Fabian, p. 464.
[29] Stow, p. 404.
[30] Rym. Fœd. tom. 12. p. 139. Hiſt. Croyl. p. 559.

the landing of his rival the earl of Richmond, and preſerved both his life and crown.

Circle of trade enlarged.

Though the Engliſh, in this period, were much engaged in war, and conſequently could not carry on trade with the ſame eaſe and ſafety as in more peaceful times, the circle of their commerce was not contracted, but rather a little enlarged. The countries with which they had commercial intercourſe in the fourteenth century, have been already enumerated; and there is the fulleſt evidence that their intercourſe with all theſe countries ſtill continued; and that Engliſh merchants now began to viſit ſome ſeas and coaſts which they had not formerly frequented [31]. A company of London merchants, A. D. 1413, loaded ſeveral ſhips with wool and other merchandize, to the value of 24,000 l. (a great ſum in thoſe times), for the weſtern parts of Morocco, which was probably the firſt adventure of the Engliſh to thoſe parts. The Genoeſe ſeized theſe ſhips as interlopers; and Henry IV. granted their owners letters of marque, to ſeize the ſhips and goods of the Genoeſe wherever they could find them [32]. There was a great trade between Venice, Genoa, Florence, and other cities of Italy, and England, long before this time; but that trade ſeems to have been wholly carried on in foreign bottoms and by foreign merchants. This appears from the commercial treaties between the Engliſh government and theſe Italian ſtates

[31] See vol. 8. book 4. ch. 6. [32] Rym. Fœd. tom. 8. p. 775.

and

and cities, in which they ſtipulate for the ſafety and friendly reception of their ſhips and merchants in the ports of England, without any ſtipulation in favour of Engliſh ſhips or merchants in their ports; which could not have been neglected, if they had frequented thoſe ports [33]. The merchants of England, in the courſe of this period, attempted to obtain a ſhare in this trade; but they met with great oppoſition in the execution of this deſign, not only from the Italians, but even from their own ſovereigns, who favoured thoſe foreigners, becauſe they accommodated them with great loans of money, in their ſtraits, and paid higher cuſtom than their own ſubjects. It was not till the reign of Richard III. that the Engliſh merchants obtained any ſolid footing in Italy; as is evident from the preamble of that prince's commiſſion to Laurentio Strozzi to be their conſul at Piſa: "Whereas "certain merchants and others from England in- "tend to frequent foreign parts, and chiefly Italy, "with their ſhips and merchandiſe, and we being "willing to conſult their peace and advantage as "much as poſſible, and obſerving, from the "practice of other nations, the neceſſity of their "having a peculiar magiſtrate among them for the "determining of all diſputes, &c. [34]." Two Engliſh merchants, A. D. 1481, encouraged by Edward IV. and by the Spaniſh duke of Medina Sidonia, prepared a fleet for a trading voyage to ſome of thoſe countries on the coaſt of Africa, that

[33] See Rym. Fœd. tom. 8, 9.

[34] Id. tom. 12. p. 261.

had been lately diſcovered by the Portugueſe, particularly to Guinea. But that enterpriſe was prevented by the interpoſition of John II. king of Portugal, at the court of England [35]. So ſlow was the progreſs of commerce at this time, in compariſon of the rapid, aſtoniſhing advances it made in the next period.

Exports and imports.

A pretty full enumeration of the exports and imports of England hath been given in a former period, to which very much cannot now be added [35]. Several changes, however, had taken place in theſe particulars; and ſome additions had been made both to the exports and imports, a few of which may be mentioned. Slaves were no longer exported from England: but pilgrims were now become a conſiderable article of exportation; and ſeveral ſhips were every year loaded from different ports with cargoes of theſe deluded wanderers, who carried out with them much money for defraying the expences of their journey, and making preſents to the ſaints they viſited: for all theſe ſaints, they were told, were much pleaſed with money. We meet with many licences granted by our kings to maſters of ſhips, permitting them to carry a certain number of pilgrims, from ſuch a port to the ſhrine of ſuch a ſaint named in the permit. Henry VI. for example, granted permits, A. D. 1434, for the exportation of 2433 pilgrims to the ſhrine of St. James of Campoſtella. Fortunately there was a ſtill greater importation of pilgrims from the

[34] Anderſon, vol. 1. p. 296. [35] See vol. 6. p. 267—273.

continent,

continent, to viſit the ſhrine of St. Thomas of Canterbury; which brought the balance of this traffic in favour of England.

Woollens. As great improvements had been made in the woollen manufactory, great varieties, and much greater quantities of woollen cloths, were exported than in any former period. Theſe formed one of the moſt valuable articles of exportation to every country with which England had any trade. But ſtill the Engliſh were ſo far from working up all their wool, that great quantities of that precious commodity, ſo much valued in Italy and Flanders, were yet exported [37]; and the ſubſidy on wool exported was one of the moſt certain and valuable branches of the royal revenue.

Corn. Corn ſeems now to have been a more important article of export than it had been in ſome former periods; and ſeveral laws were made for regulating its exportation and importation. A law was made, A. D. 1425, granting a general and permanent permiſſion to export corn, except to enemies, without particular licences; but giving the king and council a diſcretionary power to reſtrain that liberty, when they thought it neceſſary for the good of the kingdom [38]. The country gentlemen in the houſe of commons, A. D. 1463, complained, that the eaſterlings or merchants of the ſteel yard, by importing too great quantities of corn, had reduced the price of that commodity ſo much, that the

[37] Rym. Fœd. tom. 9. p. 312. Anderſon, vol. I. p. 280.
[38] Statutes, 4th Hen. VI. c. 5.

Engliſh

Engliſh farmers were in danger of being ruined. To prevent this it was enacted, "That when the "quarter of wheat did not exceed the price of "6 s. 8 d. rye 4 s. and barley 3 s. no perſon ſhould "import any of theſe three kinds of grain, upon "forfeiture thereof [39]."

Imports.

The curious pamphlet called the *Prologue of Engliſh Policy*, already quoted, gives a diſtinct account of the commodities imported into England by the merchants of different countries, or carried by them to the great emporium of Bruges in Flanders, and from thence imported by Engliſh merchants: and as it was written near the middle of this period, by one who was well acquainted with the ſubject, it is worthy of credit. According to that author, the commodities of Spain were figs, raiſins, wine, oils, ſoap, dates, liquorice, wax, iron, wool, wadmote, goatfell, redfell, ſaffron, and quick-ſilver [40].—Thoſe of Portugal were nearly the ſame [41]. —Thoſe of Britanny were wine, ſalt, creſt-cloth of linen and canvas [42].—Thoſe of Germany, Pruſſia, &c. or the merchants of the ſteel-yard, were beſides corn, iron, ſteel, copper, oſmond, bow-ſtaves, boards, wax, pitch, tar, flax, hemp, peltrey, thread, fuſtain, buckram, canvas, and wool-cards [43]. —Thoſe of Genoa were gold, cloth of gold, ſilk, cotton, oil, black pepper, rock-alum, and woad [44]. —Thoſe of Venice, Florence, and other Italian ſtates, were all kinds of ſpices and grocery wares,

[39] Statutes, 3d Edw. IV. c. 2.
[40] Prologue of Engliſh Policy, c. 1. [41] Id. c. 2.
[42] Id. c. 3. [43] Id. c. 5. [44] Id. c. 6.

ſweet

ſweet wines, ſugar, drugs, with (as that author adds),

> Apes, and japes, and marmuſits tayled,
> And niſlis and triſlis that little have avayled [45].

As ſeveral manufactures were introduced into England in the courſe of this period, laws were made, towards the end of it, againſt importing any of the articles furniſhed by theſe manufactures. Upon a petition to the houſe of commons, A. D. 1483, from the manufacturers of London and other towns, repreſenting the great damage they ſuſtained by the importation of the articles which they manufactured, an act was made againſt the importation of "girdles, harneys wrought for girdles, "points, leather laces, purſes, pouches, pins, gloves, "knives, hangers, taylors ſhears, ſciſſars, and "irons, cup-boards, tongs, fireforks, gridirons, "ſtock-locks, keys, hinges, and garnets, ſpurs, "painted glaſſes, painted papers, painted forcers, "painted images, painted cloths, beaten gold and "beaten ſilver wrought in papers for painters, "ſaddles, ſaddle-trees, horſe-harneys, boots, bits, "ſtirrups, buckler-chains, latten-nails with iron "ſhanks, turners, hanging-candleſticks, holy-"water-ſtops, chaffing-diſhes, hanging-leavers, "curtain-rings, wool-cards, roan-cards, buckles "for ſhoes, ſhears, broaches for ſpits, bells, hawks-"bells, tin, and leaden ſpoons, wire of latten "and iron, iron-candleſticks, grates, and horns

Prohibited goods.

[45] Prologue of Engliſh Policy, c. 7.

"for

" for lanthorns, or any other things made by the " petitioners, on pain of forfeiture [46]."

Staple towns.

Foreign trade was not carried on exactly in the ſame manner in thoſe times as it is at preſent. Merchants did not ordinarily carry their goods to the ports where they were to be finally diſpoſed of and uſed, but to certain emporia called ſtaple towns, where they met with cuſtomers from the countries where there goods were wanted, and with the commodities they wiſhed to purchaſe for importation. This ſeems to have been owing to the imperfect ſtate of navigation, which made long voyages tedious, and to the abounding of pirates, which made them dangerous. Merchants, therefore, of diſtant countries divided the fatigue and danger, and met each other half-way. This was attended with another advantage, that they were ſure of finding a more complete aſſortment of goods for their purpoſe at thoſe ſtaple towns, than they could have found at any other place. Bruges in Flanders was the great emporium of Europe in this period, to which merchants of the ſouth and north conveyed their goods for ſale; and ſo great was their reſort to it from the Mediterranean and the Baltic, that 150 ſhips were ſeen, A. D. 1486, to arrive at its harbour of Sluyce in one day [47].

Fairs.

The great fairs in Brabant were alſo frequented by merchants from England, Spain, France, Italy,

[46] Statutes, 2d Richard III. c. 12.
[47] Anderſon, vol. i. p. 164, 184.

Germany,

Germany, Scotland, and Ireland; and a great variety of goods were brought to them from all the neighbouring countries. But the Engliſh, it is ſaid, bought and ſold more at theſe fairs than all the other nations:

—Her marts ben feble ſhame, to ſay,
But Engliſhmen thider dreſs their way [48].

Fiſhing, as a ſource of wealth and commerce, was not neglected by the Engliſh in this period; particularly for cod and ſtock-fiſh on the coaſts of Iceland, and for herrings on their own coaſts. The merchants of Briſtol and ſome other towns ſent ſeveral veſſels annually to Iceland (in oppoſition to the frequent complaints of the kings of Denmark, and prohibitions of their own ſovereigns), to procure ſtock-fiſh, which were then much uſed in victualling ſhips for long voyages [49]. Fiſheries.

Of Iceland to write is little nede
Save of ſtock-fiſh; yet forſooth indeed,
Out of Briſtow and coſtes, many one
Men have practiſed by needle and by ſtone,
Thider-warde within a little while [50].

The herring-fiſhery on the coaſt of Norfolk was an object of great importance in the fourteenth century, and rendered the towns on that coaſt rich and flouriſhing; and the herring fair at Yarmouth was of ſo much conſequence, that it was regulated

[48] Prologue of Engliſh Policy, apud Hakluyt, p. 197.
[49] Id. p. 201. Anderſon, vol. 1. p. 271, 286. 296.
[50] Hakluyt, p. 201.

by

by ſeveral ſtatutes[51]. The conſumpt of herrings ſtill continuing to be immenſely great in all the nations of Europe, the Engliſh herring-fiſhery was ſtill carried on with vigour and ſucceſs.

Rich merchants.

Some very wealthy merchants flouriſhed in this period in Italy, France, and England. The family of Medici at Florence was the moſt opulent and illuſtrious mercantile family that ever exiſted in Europe. When Coſmo de Medici was only a private merchant and citizen of Florence, he expended four millions of gold florins in building churches and palaces in that city and its environs, and one million in charitable foundations for the ſupport of the poor[52]. Jaque Le Cœur was the greateſt merchant that ever France produced, and had alone more trade and more riches than all the other merchants of that kingdom; and by his trade and riches contributed greatly to ſave his country. It was this extraordinary man who furniſhed Charles VII. with money to pay and ſupport thoſe armies with which he recovered his provinces from the Engliſh[53]. John Norbury, John Hende, Richard Whittington, and ſeveral other merchants in London, appear to have been rich, from the great ſums they occaſionally lent their ſovereign, and the great works they erected for the uſe and ornament of the city[54]. But William Canning, who was five times mayor of Briſtol, and a great benefactor to that city, ſeems to have been the

[51] Statutes, Edw. III. an. 31. 35.
[52] Anderſon, an. 1480.
[53] Id. an. 1449. Villé and Villaret, tom. 15.
[54] Rym. Fœd. t. 1. p. 488.

greateſt

greateſt Engliſh merchant of this period. Edward IV. took from him at once (for ſome miſdemeanour in trade) 2470 tons of ſhipping; amongſt which there was one ſhip of 900 tons, one of 500, and one of 400, the reſt being ſmaller [55]. We are not informed what Mr. Canning's miſdemeanour was; but it is moſt probable that there was nothing diſhonourable in it, as the above anecdote is inſcribed upon his tomb.

Trade profitable.

From this brief account of the trade of England in this period, it plainly appears that it was not inconſiderable; and it is probable it was not unprofitable, but the contrary. We have no means, however, of diſcovering with certainty to which ſide the balance inclined, or the exact value of that balance; but we have reaſon to think, in general, that it was in favour of England, and that it was very valuable. It appears from an authentic record, that about the middle of the fourteenth century, the balance of trade in one year (1354) in favour of England, was no leſs than 294,184 l. of the money of thoſe times; and we know with certainty, that ſome articles of export, particularly the great article of woollen cloth, had very much encreaſed in the preſent period [56]. The inceſſant exhauſting drain of money from England to the court of Rome ſtill continued. Henry V. after ſqueezing every ſhilling he could from his ſubjects, anticipated his revenues, pawned his crown and jewels, and carried an immenſe maſs of treaſure out

[55] Anderſon, vol. 1. p. 471.

[56] See vol. 3. book 4. ch. 6.

of

of England in his attempts to conquer France. Henry VI. expended as much in loſing as his father had done in gaining theſe foreign conqueſts; and I know of no other means by which theſe treaſures could be replaced, but by the profits of manufactures and of commerce. In a word, it ſeems to be highly probable, that while the kings of England, in this period, were diſſipating the riches of their dominions, by their defeats and victories, manufacturers and merchants were reſtoring them, by the ſilent operations of art and trade.

Trade of Scotland.

In the beginning of this period, during the captivity of James I. Scotland was in ſuch an unſettled, diſtracted ſtate, that its commerce could not flouriſh. There is, however, ſufficient evidence, that, even in thoſe happy times, it was not deſtitute of trade and ſhipping, of which it ſuſtained a very great loſs A. D. 1410. Sir Robert Umfreville, an Engliſh admiral, with a fleet of ten ſtout ſhips, ſailed up the frith of Forth, as far as Blackneſs, where he took fourteen veſſels, burnt ſeveral others, and amongſt them a large one, called *the grand galley of Scotland*[57]. In this expedition, ſir Robert, it is ſaid, brought home ſo great a quantity of gold, that the price of it was reduced in England, which procured him the name of *Robert Mend-market*[58]. John duke of Brabant granted, by his letters-patent, various privileges, A. D. 1407, to the mer-

[57] Hall, fol. 26. Stow, p. [illegible]. [58] Id. ibid.

chants

chants of Scotland who came into his dominions on account of trade [59].

When king James I. returned from his long captivity into his native kingdom, A. D. 1424, he applied with great ardour to promote the proſperity of his ſubjects, and particularly their commerce, as is evident from his laws. He procured ſeveral acts of parliament for an uniformity of weights and meaſures, of all kinds, in all parts of the kingdom, with very particular directions for making and keeping of the ſtandards, and fixing what goods were to be ſold by weight, and what by meaſure; which (if they were executed) muſt have greatly facilitated both foreign and internal trade [60]. This wiſe prince earneſtly deſired to reſtore the coin of Scotland to the ſame weight and fineneſs with that of England, and obtained an act of parliament to that purpoſe [61]. But he never was able to carry that act into execution; though he endeavoured, by various methods, to procure bullion for that end. With this view, he prevailed upon the ſame parliament to grant him all the ſilver in all the mines [illegible] which a pound of lead yielded three halfpence [illegible] ſilver [illegible]. By another law, all merchants were [illegible] to bring home a certain quantity of bullion in proportion to the value of the goods they exported [illegible]. A duty of 10 per cent. was laid by ſeveral acts on gold and

James I.

[59] Maitland's Hiſt. Edinburgh, p. 384.
[60] Black Acts, James I. ch. [illegible], 64, 79, 80.
[61] Id. ch. 25. [illegible] Id. ch. 24.
[62] Id. ch. 160.

Silver

ſilver coins exported; and at laſt, in imitation of England, the exportation of theſe precious metals, coined or uncoined, was prohibited[64]. I will not affirm, that theſe laws were or could be effectual; but they plainly diſcover that it was the intention of this prince to promote trade, and to make it lucrative to his kingdom, by increaſing its ſtock of gold and ſilver. Several other laws of this excellent king, that were made with the ſame intention, might be mentioned; ſuch as,—thoſe for aſcertaining the rate of cuſtoms on all exports and imports,—for ſecuring the effects of traders who died abroad,—for permitting his merchants to freight foreign ſhips, when they could not procure any of their own country,—for regulating fairs and markets, and delivering thoſe who frequented them from various vexations, &c. &c.[65].

James II. James II. was not wholly inattentive to trade. He renewed the laws that had been made by his father for the uniformity of weights and meaſures, and for regulating fairs and markets[66]. But as moſt of the mercantile regulations of this prince relate to the coin, they will be conſidered in another place.

James III. Many commercial laws were made in the reign of James III; but ſome of them diſcover no great wiſdom, or knowledge of the ſubject, in the lawmakers. They renewed all the former acts for the

[64] Black Acts, James I. ch. 55. 166.
[65] See Acts of James II. *paſſim.*
[66] Acts James II. ch. 66. 82.

import

importation of bullion, and againſt the exportation of coin, again and again with ſeverer and ſeverer penalties, and were much ſurpriſed to find that money was ſtill ſcarce. This they imputed to the negligence of the officers who were appointed to put thoſe acts in execution; never reflecting that if the value of the goods exported was leſs than of the goods imported, ten thouſand laws, and the greateſt vigilance in their execution, could not prevent the exportation of money to pay the balance [67]. It is difficult to diſcover with what view ſeveral laws were made for reſtraining craftſmen, or ſuch as were not burgeſſes, or had not a certain quantity of goods, from engaging in foreign trade; but theſe reſtraints were certainly imprudent, and were probably procured by the influence of the richer merchants [68]. An embargo was laid by law on all the ſhipping of Scotland, from St. Simon's and St. Jude's day (October 28) to Candlemas, as ſailing was thought to be peculiarly dangerous at that ſeaſon [69]. The ſtaple for the merchants of Scotland was removed, by an act of parliament, A. D. 1466, from Bruges in Flanders, firſt to Middleburg, and ſoon after to Campvere in Zealand, were it ſtill remains [70]. It appears, from another act of the ſame parliament, that it was not uncommon for the prelates, lords, and barons of Scotland to export the produce of their own lands,

[67] Acts James III. ch. 12, 11. 27. 63. 80.
[68] Id. ch. 15, 16. [69] Id. ch. 18.
[70] Id. ch. 19, 20.

and import ſuch goods as they thought proper for the uſe of their families [71].

Exports and imports.

It would be difficult, and is unneceſſary, to give a complete enumeration of all the exports and imports of Scotland in this period, as they were both very numerous, but many of them not very valuable. The chief articles exported were, wool, wool-fells, woollen cloth, leather, ſalted hides, ſkins of metricks, harts, hinds, does, roes, tods, fowmarts, cunnies, and otters, barrelled and red herrings, ſalmon, black cattle, horſes, and ſheep. That all theſe articles were exported we have the evidence of acts of parliament aſcertaining the cuſtoms to be paid on their exportation [72]. Tallow was alſo exported, except at particular times, when its exportation was prohibited [73]. The articles imported were ſtill more numerous, and conſiſted of ſilks and fine cloths; but theſe in no great quantities, as the uſe of them was confined by law to a few perſons of high rank; wines; groceries; hardware; armour, and arms; furniture and implements of huſbandry [74]. But ſo low was the ſtate of agriculture, as well as of the other arts, in Scotland, in thoſe unhappy times, that corn was one of the greateſt articles of importation. This appears from ſeveral acts of parliament, and particularly from the following preamble to one, A. D.

[71] Acts James III. ch. 14.
[72] Black Acts, James I. ch. 23, 24. 44. 86, &c.
[73] Id. ch. 35.
[74] Id. ch. 52. Prologue of Engliſh Policy, ch. 4.

1477.

1477.—"Becauſe victuals (corns) ar rycht ſchant "within the countrie, the maiſt ſupportation that "this realme hes, is be ſtrangers of divers uther "nations that brings victual[75]."

The Scots, in this period, ſeem to have been ſenſible of the importance of the fiſheries on their coaſts and in their rivers, and deſirous of availing themſelves of that advantage, both for home-conſumpt and for exportation. By an act of parliament, A.D. 1471, it is ſtatute and ordained, "That the lords ſpiritual and temporal, and bu- "rowes, gar mak greit ſchippis, buſches, and "uther greit pinkboiltis, with nettis and abelze- "ments for fiſching, for the commun gude of the "realme, and the great entres of ryches, to be "brought within the realme, of uther coun- "tries[76]." They diſcovered their anxiety for preſerving the fry of red fiſh, and for preventing the killing ſalmon at improper ſeaſons, by many laws; and the value they ſet on that fiſh, by ordaining, that none of them ſhould be ſold to Engliſhmen, but for immediate payment in gold or ſilver; or to Frenchmen, but for gold, ſilver, or claret wine[77]. Fiſheries.

It is impoſſible to diſcover whether the balance of trade was in favour of Scotland or not, in this period. It is probable the balance on either ſide was not very great, as that country doth not ap- Balance of trade.

[75] Acts James III. ch. 81. [76] Id. ch. 60.
[77] Acts James I. ch. 12. 145. 163. James II. ch. 8. 86. James III. ch. 45. 2.

pear to have been either remarkably enriched or impoveriſhed. But even ſuch a commerce is not unprofitable, as it procures many accommodations, conveniencies, and comforts, which could not otherwiſe be obtained.

Money. As money or coins have long been the great medium of commerce, and the common meaſure of the value of all other commodities; and as the acquiſition of them hath been the great object of particular merchants, and of trading nations, they are well entitled to a place in the commercial hiſtory of every period. Without a competent knowledge of coins in every age, of their weight and fineneſs, and of their comparative value with reſpect to other commodities, and to the coins of our own times, we can form no juſt conceptions of the price of labour, the rate of living, the proſperity and wealth of nations, and many other important facts in hiſtory. We are apt, for example, to be ſurpriſed to hear, that the wages of common labourers, in the fifteenth century, were only three halfpence a-day, and to imagine that theſe poor labourers muſt have lived in a very wretched manner; but when we are told, that thoſe three halfpence contained as much ſilver as three pence, and would purchaſe as many of the neceſſaries of life as fifteen pence of our money will do at preſent, our ſurpriſe and pity are at an end.

Weight of coins. It hath been already obſerved, that anciently the Engliſh nominal pound in coin contained a real Tower pound of ſilver, weighing 5400 grains Troy;

Troy; that of this pound of ſilver were coined 240 pennies (the largeſt coins then in uſe), weighing each 22½ Troy grains; and that the money of England continued on the ſame footing from the Conqueſt till near the middle of the fourteenth century, when Edward III. made an alteration [78]. That prince, A. D. 1346, coined 270 pennies, weighing each only 20 Troy grains, inſtead of 22½ out of a Tower pound of ſilver: by which the value of the nominal pound was reduced from 60 of our ſhillings to 51 s. 8 d. That ſame prince made another change in his money, A. D. 1351, by coining groats that weighed only 72 grains, inſtead of 90 (the original weight of four pennies), by which the nominal pound was brought down to 46 s. 6 d. of our preſent money; at which it continued till after the beginning of the period we are now delineating [79].

By an act of parliament, 13th Henry IV. A. D. 1412, it was directed, "That by reaſon of the "great ſcarcity of money in the realm of Eng- "land, the pound Tower ſhould, from the feaſt "of Eaſter following, be coined into thirty ſhil- "lings by tale [80]." A ſtrange imagination, that diminiſhing the value of the nominal pound would make money more plentiful! and yet it was on this groundleſs fancy that all the above and ſubſequent changes were made. By this laſt regulation, the value or quantity of ſilver in the nominal pound Continued.

[78] See vol. 6. p. 294, 295.
[79] See vol. 8. ch. 6.
[80] Statutes, 13th Hen. IV.

was reduced to 38 s. 9 d. of our money; and on that footing the coin of England continued more than half a century, during the reigns of Henry V. and Henry VI [81].

Edward IV.

Edward IV. A. D. 1464, by coining 37 s. 6 d. by tale out of the Tower pound of ſilver, brought down his groats (the largeſt coin then in uſe) to 48 Troy grains, and the intrinſic value of the nominal pound to 31 s. of our money; and thus it remained till long after the concluſion of the preſent period.

Inconvenience.

Theſe ſucceſſive changes in the value or quantity of ſilver, in the nominal pound of coin, which could add nothing to the real riches of the kingdom, were productive of many inconveniencies. Every change deceived the people for ſome time to their loſs; and occaſioned great confuſion in the payment of debts, rents, annuities, and in all mercantile and money tranſactions.

Gold coins.

The only gold coins that were ſtruck in England in the greateſt part of this period, in the reigns of Henry IV. Henry V. and Henry VI. were nobles, with their halves and quarters. The firſt nobles of Henry IV. weighed 120 grains, and their value was 21 s. 1½ d. the ſame weight and value with thoſe of his predeceſſor Richard II. But in the laſt year of his Reign, the noble was reduced to 108 grains, value 19 s.; and on that footing it continued during the two ſucceeding reigns [82].

[81] Martin Folkes on the Silver Coins of England, p. 13, 14.
[82] Id. on Gold Coins, p. 4.

The

The gold noble was of 23 carats 3½ grains fine, and ½ grain in alloy, and was much admired, both at home and abroad, for its purity and beauty.

Edward IV. A. D. 1466, ſtruck gold coins, called *angels*, from the figure of an angel on the reverſe; and their halves, called *angelets*. The angel weighed 80 grains, paſſed for 6 s. 8 d. of the ſilver-money of thoſe times, and was worth 14 s. 1 d. of our preſent money [83]. Continued.

In the preceding period, it hath been obſerved that the coins of Scotland were originally the ſame with thoſe of England, and ſo continued till about the middle of the fourteenth century, when they fell a little below the Engliſh coins, both in weight and purity [84]. This difference between the coins of the two Britiſh kingdoms gradually increaſed; and at the beginning of our preſent period, thoſe of Scotland were only about half the value of thoſe of England of the ſame denomination. But this difference was then only in weight, becauſe the Scottiſh coins had been reſtored to their former fineneſs [85]. Coins of Scotland.

James I. on his return to Scotland, A. D. 1424, being convinced that this difference between the coins of the two kingdoms was a great interruption to trade, procured an act of parliament, impowering him "to mend his money, and gar "ſtryke in it like wicht and fynes to the money James I.

[83] Folkes on Gold Coins. [84] See vol. 8. ch. 6.
[85] Ruddimanni Præfat. ad Anderſoni Diplom. Scot.

"of

"of Ingland[86]." But the diſorders and diſtreſſes of his kingdom prevented the execution of that wiſe law; and the coins of Scotland gradually ſunk more and more below the value of thoſe of England of the ſame denomination. Materials are not wanting to trace the gradual decreaſe of the Scottiſh coins, ſtep by ſtep; but ſuch a minute detail would be tedious and unintereſting. It will be ſufficient to remark, that at the end of this period, they were little more than one fourth of the weight and value of the coins that were called by the ſame names in England[87].

Inconvenicney.

Though our kings and great barons were the chief promoters of the diminution of the weight and value of the coin, they were by far the greateſt ſufferers by that imprudent meaſure. For by that means all the fixed annual payments that were due to them from their ſubjects and vaſſals, were much diminiſhed in their real value, though they continued the ſame in name. They received the ſame number of pounds that had been originally ſtipulated; but theſe pounds did not contain the ſame quantity of ſilver, and would not purchaſe the ſame quantity of goods with thoſe in the original ſtipulation. The king and nobility diſcovered the error they had committed and the loſs they had ſuſtained, and endeavoured to apply a remedy; but it was not the natural and only effectual one, of

[86] Black Acts, James I. act 25.

[87] Id. James II. act 72.; James III. act. 22. 26. 58. 63. 83. 89. 108. 114.

reſtoring

reſtoring the coin to its original weight and purity. An act of parliament was made, A. D. 1467, to the following purpoſe: "Becauſe our ſoverane "lord, and his thre eſtatis, conſidderis and under-"ſtandis, that his hienes, and the hail realme in "ilk eſtate, is greitly hurt and ſkaithet in the "changeing and heying the courſe of the money; "baith in debts paying, and contracts, bygane "annuallis, wedſettis, and lands ſet for lang termis, "cuſtomis, and procuraſeis of prelatis, and all "other dettes; it is provydit, by our ſoverane lord "and his thre eſtatis in this preſent parliament, "That baith the creditour and the dettour, "the byar and the ſellar, the borrower and the "lennar, the lord and the tennant, ſpirituall and "temporall, be obſervit to the deſyre and the in-"tentis of thame that war in the tyme of making "the contractis, and payment to be maid in the "ſamen ſubſtance that was intendit at the tyme of "the making of the contractis[83]." This law was certainly very equitable; but it is obvious, that the execution of it would be attended with many difficulties, and productive of many diſputes; and that it would be no eaſy matter to perſuade vaſſals, tenants, and debtors of all kinds, to pay a greater number of pounds, ſhillings, and pence, than they were bound to pay by their original obligations. There is ſufficient evidence ſtill remaining, that though ſeveral laws were made of the ſame tenor with that above, none of them could be executed;

[83] Black Acts, James III. act 23.

and

and that the ſeveral feudal payments due by the vaſſals of the king and barons, by the ſucceſſive changes of the coin, and of the value of money, dwindled down to leſs than the hundredth part of what was originally intended, and in many caſes to a mere trifle. The relief, for example, paid to the crown by the ancient barons of Panmore, was originally 122 l. containing as much ſilver as 366 l. of our preſent Engliſh money; and as 4392 l. of our preſent Scotch money, equivalent in efficacy, to 1830 l. Engliſh, and to 21,960 l. Scotch. This was a valuable payment, and was probably one year's rent of the eſtate. Edward I. when he was in poſſeſſion of Scotland, remitted to William de Maul, baron of Panmore, 82 l. of his own relief, and of his heirs, to gain him to his intereſt. From thence the relief paid by the heirs of that noble family was 40 l. containing originally as much ſilver as 120 l. Engliſh, and as 1440 l. Scotch, equivalent in value to 600 l. Engliſh, and to 7200 l. Scotch money. But by many ſucceſſive diminutions of the nominal money-pound in Scotland, that payment, originally ſo conſiderable, was reduced to the trifling ſum of 3 l. 6 s. 8 d. of our preſent Engliſh money[89].

Gold coin. Gold was coined in Scotland by Robert II. ſoon after it began to be coined in England by Edward III.; and the gold coins of both kingdoms were the ſame in weight and fineneſs to the end of

[89] See Ruddiman's Pref. to Anderſon's Diplom. Scot. ſect. 61.

this

this period[99]. But the reader will form a more diſtinct idea of the gold coin of thoſe times, and of the comparative value of gold and ſilver, by inſpecting the following table, than can be given him in many words.

A. D.	A. Regni.	Fineneſs.	Alloy.	Value of coins out of a pound of gold.	Weight of ſilver for a pound of gold.
		oz. pw. gr.	pw. gr.	L. s. d.	lib. oz. pw. gr.
1371, &c.	Robert II.	11 18 18	1 6	17 12 0	11 1 17 22
1390, &c.	Robert III.	11 18 18	1 6	19 4 0	11 1 17 22
1424.	James I. 19	11 18 18	1 6	22 10 0	11 1 17 22
1451.	James II. 15	11 18 18	1 6	33 6 8	9 8 4 14
1456.	——— 20	11 18 18	1 6	50 0 0	9 8 4 14
1475.	James III. 16	11 18 18	1 6	78 15 0	10 2 0 20
1484.	——— 24	11 18 18	1 6	78 15 0	10 5 7 9

From the above table, conſtructed from authentic monuments, the following facts appear—That the gold coined in Scotland was of ſufficient fineneſs—that the nominal money-pound contained above four times more ſilver, A. D. 1390, than it did in A. D. 1475: a prodigious change in ſo ſhort a time!—and that the value of gold compared to ſilver was about one third leſs than it is at preſent: and ſo it continued, till after the diſcovery of the ſilver mines in South America; from which immenſe quantities of that metal have been imported into Europe.

[99] Black Acts, James III. act 102. A. D. 1483.

In

Copper money.

In the firſt parliament of James III. A. D. 1466, an act was made for coining copper-money, "for "the uſe and ſuſtentation of the king's liegis, "and for almous deid to be done to pure folk." An exact deſcription is given in the act, of the form of theſe copper coins, of which four were to paſs for one penny. By the ſame act, a coinage, of three hundred pound weight, of a different kind of copper-money, with a mixture of ſilver in it was appointed. This was called *black money*, from its colour, as the mixture of ſilver in it was very ſmall, probably not greater than the mixture of copper in the white money, hardly one ounce in the pound [91]. King James was afterwards cruelly calumniated for coining this black money, and the minds of the common people inflamed againſt him on that account, by the earl of Angus and his party, though they perfectly well knew, that it had been coined in conſequence of an act of parliament, when the king was in his childhood, and had no concern in the matter. So little regard hath faction to truth, and ſo eaſily are the minds of the people miſled!

Rate of living.

It would require a long and very tedious induction of particulars, to aſcertain the exact difference between the rate of living at preſent and in the period we are now examining. I have inveſtigated this matter with all the attention of which I am capable; and I am perſuaded, that, to the lower and middle ranks of the people, living was,

[91] Black Acts, James III. act 12.

in

in that period, nominally ten times, and really five times cheaper than it is at preſent, to perſons of the ſame rank. To underſtand the diſtinction between the nominal and real difference in the rate of living, we have only to reflect, 1ſt, That one nominal money-pound, in the fifteenth century, contained as much ſilver as two nominal pounds contain at preſent; and therefore a perſon who had then an income of 10 l. a-year had as much ſilver to expend as one who hath now an income of 20 l. a-year; and, 2dly, That the ſame quantity of ſilver, ſuppoſe a pound weight, would then have purchaſed as many of the neceſſaries of life as five times that quantity, or five pound weight of ſilver, will purchaſe at preſent: for theſe two reaſons, one who had a free annual income of ten nominal money-pounds in the fifteenth century, was as rich and could live as well, as one who hath an income of ten times as many money-pounds, or of 100 l. at preſent; though, in reality, any given weight of coins had then only five times the value and efficacy that the ſame weight of coins, of equal purity, have in our times.

That the above account of the nominal difference in the rate of living, and the real difference in the value of money, is not far from the truth, many proofs might be produced; of which, to avoid prolixity, I ſhall mention only two or three. As grain of different kinds, and animal food, are the chief means of ſupporting human life, their prices claim particular attention in forming a judgment of the expence of living. The average price of a Proofs.

quarter of wheat, in that part of the fifteenth century which is the ſubject of this book (except in a few years of famine), appears to have been about 5 s. which, multiplied by ten, produces 50 s. which is not eſteemed a very high price at preſent. When wheat was 6 s. 8 d. per quarter, a famine was dreaded, and the ports were opened for importation. All other kinds of grain were cheaper in proportion to wheat than they are at preſent[92]. Animal food of all kinds was ſtill cheaper than grain. The price of an ordinary, probably a ſmall cow, was 7 s. equivalent to 3 l. 10 s. 0 d.—of a calf, 1 s. 8 d. equivalent to 16 s. 8 d.—of an ox, 13 s 4 d. equivalent to 6 l. 13 s. 4 d.—of a ſheep, 2 s. 5 d. equivalent to 1 l. 4 s. 2 d.—of a hog, 2 s. equivalent to 1 l.—of a gooſe, 3 d. equivalent to 2 s. 6 d. &c.[93] Liquors were fully as cheap as either bread-corn or butcher meat, or rather cheaper. Claret coſt only 1 s. a gallon, equivalent to 10 s. and ale only 1½ d. equivalent to 1 s. 3 d.[94]. It was eſtabliſhed by law, 2d Henry V. A. D. 1414, "That no yearly chaplain within the realm ſhall "take, from henceforth, more for his whole "wages by the year (that is to ſay, for his board, "apparel, and other neceſſaries), but ſeven marks, "or 4 l. 13 s. 4 d. equivalent to 46 l. 13 s. 4 d.[95]" from which is barely ſufficient (if it is ſufficient) to ſupport a ſingle clergyman in board, lodging, apparel, and every thing elſe, in a manner ſuitable to his character. By the ſame ſtatute it is or-

[92] See Chronicon Precioſum, p. 98—118. [93] Id. ibid.
[94] Id. ibid. [95] Statutes, 2d Henry V. ſtat. 2. c. 2.

dained

dained, "That parish-priests which be, or shall be "retained to serve cures, shall take, from hence-"forth, for their whole wages, by the year, but "8 marks, or 5 l. 6 s. 8 d.[96];" which, being multiplied by ten, yields 53 l. 6 s. 8 d.; a sum certainly not too great for the decent support of a parish-priest at present: and we cannot suppose that the parliament of England would have fixed the highest stipend to be given to a curate at 8 marks, if that sum had not been then sufficient for his decent support. Sir John Fortescue chief Justice of the king's bench, and afterwards chancellor to Henry VI. wrote his book on the Difference between an absolute and limited Monarchy, towards the end of this period; and in that work he says, in plain terms, "that five pounds in a year was a "fair living for a yeoman;" which, I believe, can hardly be said of fifty pounds a year in our times[97]. In a word, it seems to be abundantly evident, that inferior clergymen, yeomen, respectable tradesmen, and others in the middle ranks of life, could have lived as plentifully, in the fifteenth century on an income of 5 l. a-year, of the money of that age, as those of the same rank can live on ten times that nominal, or five times that real income, that is, on 50 l. a year at present[98]. The precious metals

[96] [illegible]tute, 2d Henry V. st. 2. c. [illegible]

[97] Fortescue on the Difference between an absolute and limited Monarchy, p. 13[illegible].

[98] I confess bishop Fleetwood, in his Chronicon Preciosum, makes the difference in the rate of living only as six to nine. But that learned and good prelate, writing on a case of conscience, intentionally kept within bounds. He wrote also in the beginning of this century, when living was cheaper than it is at present.

of gold and ſilver have indeed greatly increaſed in Britain ſince thoſe times; but we muſt not therefore imagine, that we are ſo much richer than our anceſtors; becauſe as theſe metals increaſed in quantity, they decreaſed in value and efficacy.

Shipping. The ſtate of ſhipping in Britain ſeems to have been nearly the ſame in this, that it had been in the former period. Commerce was not much extended and a great part of it was ſtill carried on by foreign merchants in foreign bottoms; which retarded the increaſe both of ſhips and ſailors. Some attempts were made to build ſhips of greater burden than had been formerly in uſe, in imitation of the carracks of Venice and Genoa, which were often ſeen in Britiſh harbours. But theſe attempts were probably very few, as they are mentioned by our hiſtorians with expreſſions of admiration, and thoſe who made them obtained both honours and immunities. James Kennedy, the patriotic biſhop of St. Andrew's, is as much celebrated for building a ſhip of uncommon magnitude, called the *Biſhop's Berge*, as for building and endowing a college[99]. John Taverner of Hull obtained various privileges and immunities from Henry VI. A. D. 1449, "becauſe he had built a ſhip as "large as a great carrack[100];" a ſufficient proof that few ſuch ſhips were then built in England.

In the ſubſequent periods of this work, the increaſe of the commerce of Great Britain, particularly of England, will be more conſpicuous, and merit a more extended delineation.

[99] Pitſcottie. Hawthornden. [100] Rym. Fœd. tom. 11. p. 158

THE HISTORY OF GREAT BRITAIN.

BOOK V.

CHAP. VII.

History of the Manners, Virtues, Vices, remarkable Customs, Language, Dress, Diet, and Diversions, of the people of Great Britain, from the accession of Henry IV. A. D. 1399, *to the accession of Henry* VII. A. D. 1485.

Slow change of manners.

WHEN a country is conquered by a foreign power, and receives new masters, and an inundation of new inhabitants from a distant region, a great and sudden change of manners, &c. is commonly produced, by the introduction of those of the conquerors, in the place of those of the ancient inhabitants, or by an intermixture of both.

both. Such were the great and ſtriking revolutions in the manners, cuſtoms, and circumſtances of the people of Britain, introduced by the ſucceſſive conqueſts and ſettlements of the Romans, Saxons, Danes, and Normans, in this iſland, which have been already delineated in their proper places. But when a country continues to be inhabited by the ſame people, living under the ſame government, profeſſing the ſame religion, and ſpeaking the ſame language as the people of Britain did in this period, the changes in their manners, cuſtoms, virtues, vices, language, dreſs, diet, and diverſions, are ſlow, and almoſt imperceptible. Theſe changes however, like the motion of the ſhadow on the ſun-dial, are real, and in proceſs of time become conſpicuous. If the heroic Henry V. were now to ariſe from the dead, and appear in the ſtreets of London, mounted on his war-horſe, and clothed in complete armour, what aſtoniſhment would he excite in the admiring multitude! How much would he be ſurpriſed at every object around him! If he were conducted to St. Paul's, he would neither know the church nor underſtand the ſervice. In a word he would believe himſelf to be in a city and among a people, he had never ſeen. It cannot therefore be improper to trace, in every period, thoſe gradual, and almoſt inſenſible changes, in our manners, language, and dreſs, &c. which have at length transformed us into a people ſo totally different from our anceſtors; and to point out the cauſes of theſe changes, and the degrees of happineſs or diſtreſs which they produced.

No

No very material alteration in the ranks and orders of men in ſociety took place in this period; but there ſeems to have been a conſiderable change in the comparative importance and influence of the people in theſe ſeveral ranks. The diſtinction between the nobility and gentry of England was now fully eſtabliſhed, in conſequence of the diviſion of the parliament into two houſes; and the former enjoyed ſeveral privileges to which the latter had no claim. The parliament of Scotland ſtill continued to meet in one houſe; and the nobility hardly enjoyed any peculiar advantages, except their titles and mere precedency, beſides thoſe they derived from the greatneſs of their fortunes and number of their followers[1]. The citizens and burgeſſes in both kingdoms were more reſpected, or rather not ſo much deſpiſed, as they had been formerly; and even the common people were treated with greater lenity, as their haughty lords often ſtood in need of their aſſiſtance in the field of battle. Alterations in rank.

The moſt remarkable change in all ranks of men in this period, was a great diminution of the numbers of the people in every rank (except that of beggars), by the devaſtation and depopulation of the country. This depopulation was occaſioned Depopulation under Henry IV.

[1] In the original records of parliament, the eccleſiaſtical peers are always placed firſt, the dukes and earls next, but the names of lords and gentlemen are intermixed; and ſeveral gentlemen, who were not lords of parliament, have *dominus* prefixed to their names. In a word, the diſtinction between lords and lairds in thoſe times was very inconſiderable. The wives of lairds were conſtantly called ladies.

by the three greateſt ſcourges to which mankind are expoſed, famine, peſtilence, and war, but chiefly by the laſt. Famine was moſt fatal to thoſe in the lower walks of life; war was moſt deſtructive to thoſe of higher rank, in proportion to their numbers; the peſtilence made no diſtinction.

Depopulation in the reign of Henry V.

To ſay nothing of the great numbers of brave men who fell in the foreign and civil wars in the reign of Henry IV. what prodigious multitudes periſhed in the French wars, in the reigns of Henry V. and Henry VI. which continued about thirty years, and were uncommonly deſtructive! The Engliſh nobility and gentry engaged in thoſe wars with the greateſt ardour, in hopes of obtaining ſplendid ſettlements on the continent. But inſtead of gaining fortunes ſo many of them loſt their lives, that in the laſt year of the victorious Henry V. there was not a ſufficient number of gentlemen left in England to carry on the buſineſs of civil government. This is evident from the following ſtatute, made in that year: "Whereas, "by an act made in the 14th of Edward III. it "was ſtatute and ordained, That no ſheriff or "eſcheator ſhould remain above one year in his "office, becauſe there was then a ſufficient num-"ber of gentlemen in every county of England, "well qualified to fill theſe offices to the ſatisfac-"tion both of the king and his ſubjects: And "whereas, by diverſe peſtilences within the king-"dom, and by foreign wars there is not a ſuffi-"ciency at preſent of proper perſons to fill theſe "offices: it is therefore enacted by this parlia-"ment,

" ment, That the king may appoint ſheriffs and " eſcheators to continue more than one year in " their reſpective offices, for four years, commen- " cing at the next election of theſe officers[1]." This act appears to have been made with much reluctance, and from mere neceſſity.

But if the victories of Henry V. were ſo fatal to the population of his country, the defeats and diſaſters of the ſucceeding reign were ſtill more deſtructive. In the twenty-fifth year of this war, the inſtructions given to the cardinal of Wincheſter, and other plenipotentiaries appointed to treat about a peace, authoriſe them to repreſent to thoſe of France, " that there haan been moo men ſlayne " in theſe wars for the title and claime of the " coroune of France, of oon nacion and other, " than ben at this daye in both landys, and ſo " much Chriſtiene blode ſhede, that it is to grete " a ſorow and an orrour to thinke or here it[2]." But theſe and many other repreſentations were in vain. The war continued ſeveral years longer; and before it ended, the two powerful kingdoms of France and England were ſo much exhauſted, that, in ſome campaigns, they could hardly bring 10,000 men into the field on either ſide. Under Henry VI.

England was ſtill further depopulated by the bloody conteſt between the houſes of Lancaſter and York, which ſucceeded the French wars. This conteſt was peculiarly fatal to perſons of rank and Edward IV.

[1] Statutes, 9th Hen. 5. ch. 5.
[2] Rym. Fœd. tom 10. p. 724.

power, and ſeemed to threaten that order of men with extirpation. If we may believe Philip de Comines, one of the moſt credible hiſtorians of thoſe times, no fewer than ſixty or eighty princes and nobles of the blood-royal of England loſt their lives in this quarrel, either in battle or on the ſcaffold [4]. The ſame writer informs us, that Edward IV. told him one day in converſation, that in all the nine pitched battles he had gained he had fought on foot; and that as ſoon as the enemy began to fly, he mounted his horſe, and cried to his men to ſpare the common people, and to kill their leaders [5]. At the battle of Towton, one of theſe nine, three earls and ten lords of the Lancaſtrian party, beſides a prodigious number of knights and gentlemen, were found dead on the field. At the firſt parliament of Edward IV. long before the concluſion of that fatal conteſt, the nobility of England conſiſted only of one duke, four earls, one viſcount, and twenty-nine barons; all the nobles of the Lancaſtrian party having been either killed in battles or on ſcaffolds, or had fled into foreign countries to ſave their lives [6].

Scotland. The ſame cauſes of depopulation produced the ſame effects in Scotland; and this depopulation was but too viſible in both countries, by ruined villages, uncultivated fields, and decaying towns and cities [7]. Upon the whole, we have good reaſon to believe, that there were not 3,000,000, pro-

[4] Philip de Comines, vol. 1. p. 52. 196. [5] Id. ibid.
[6] Parliament. Hiſt. vol. 2. p. 322.
[7] J. Roſſii Hiſt. Angl. *paſſim.*

bably

bably not above 2,500,000 people of all ages in Britain, at the end of this period. It is no objection to this, that we hear of numerous armies tranſported to the continent, and appearing in the field in Britain; becauſe all men from ſixteen to ſixty, the clergy not excepted, were every moment liable to be called into the field, and few dared to diſobey the call.

The circumſtances of the people of Britain, in this period, were far from being comfortable. The crown tottered on the heads of her princes, who were ſometimes on a throne, ſometimes in a priſon, or in exile. Of the three kings who reigned in Scotland, one, after ſpending the beſt years of his life in captivity, periſhed by a violent death; the other two fell in war; and they were all cut off in the prime of their age. Many of the rich and great experienced the moſt deplorable reverſes of fortune, and ſunk into indigence and obſcurity; and ſome of the moſt ancient and noble families, in both kingdoms, were ruined, and almoſt extirpated. The common people enjoyed few of the comforts, and ſometimes wanted the neceſſaries, of life; and neither their perſons nor properties were ſecure. It was indeed impoſſible that a people ſo much employed in deſtroying the inhabitants of other countries, or in tearing one another to pieces, could be happy. But all the diſtreſſes in which the people of Britain were then involved, did not diminiſh their vices nor increaſe their virtues. Their manners in theſe reſpects ſeem to have been nearly the ſame in this as in the preceding period, and Diſtreſſes.

have

have been already deſcribed. It will be ſufficient therefore, in this place, to mention a few particulars, which were either peculiar to the times we are now conſidering, or became more or leſs conſpicuous.

Chivalry. Chivalry, one of the moſt remarkable peculiarities in the manners of the middle ages, flouriſhed greatly in England in the fourteenth, but declined in the fifteenth century. Our kings and nobles were then ſo much engaged in real combats, that they could not pay equal attention to the repreſentations of them in tilts and tournaments. The decline of chivalry is thus feelingly lamented by that ſimple perſon (as he often calls himſelf) Mr. William Caxton: "O ye knyghtes of Englond! "where is the cuſtome and uſage of noble chy- "valry that was uſed in tho days? What do ye "now but go to the baynes, and play at dyſe? "And ſome not well advyſed, uſe not honeſt and "good rule, again all ordre of knygthode. Leve "this, leve it, and rede the noble volumes of St. "Graal, of Lancelot, of Galaad, of Tryſtram, of "Perſe Foreſt, of Percyval, of Gawayn, and many "mo; ther ſhall ye ſee manhode, curtoyſe, and "gentylneſs.—I would demaunde a queſtion, yf I "ſhold not diſpleaſe: How many knyghtes ben "ther now in England, that have thuſe and thex- "erceiſe of a knyghte; that is to wite, that he "knoweth his horſe, and his horſe him. I ſup- "poſe, and a due ſerche ſholde be made, there "ſholde be many founden that lacke; the more "pyte is.—I wold it pleaſyd our ſoverayne lord, "that twyſe or thryſe a-yere, or as the leſt ones,

"he

" he wold do cry juſtis of pies, to thende, that " every knyght ſhold have hors and harneys, and " alſo the uſe and craft of a knyghte, and alſo to " tornoye one agaynſte one, or two agaynſt two, and " the beſt to have a prys, a diamond or jewel, ſuch " as ſhold pleaſe the prynce [8]."

But though chivalry was now declining, it was far from being extinct. Henry V. of England, and James I. of Scotland, are highly extolled for their dexterity in tilting; and Richard Beauchamp, earl of Warwick, was famous for the victories he obtained in thoſe knightly encounters, both at home and abroad [9]. Many of the firſt productions of the preſs were books of chivalry, and adventures of knights-errant [10]. We meet with a great number of royal protections granted by our kings to foreign princes, nobles, and knights, to come into England to perform feats of arms; and licences to their own ſubjects, to go into foreign countries for the ſame purpoſe [11]. All coronations and royal marriages were attended with ſplendid tilts and tournaments, in which the young nobles, knights, and gentlemen, diſplayed their courage, ſtrength, and dexterity in horſemanſhip, and the uſe of arms, in the preſence and for the honour of their ladies. Still exiſted.

The moſt magnificent of theſe tournaments was that performed by the baſtard of Burgundy and A tournament.

[8] Ame's Typographical Antiquities, p. 41.
[9] Strutt. vol. 2. Scoticron. lib. 16. c. 28.
[10] Ame's Typographical Antiquities, p. 41.
[11] Vide Rym. Fœd.

Anthony

Anthony lord Scales brother to the queen of England, in Smithfield, A. D. 1467. The king and queen of England ſpared no expence to do honour to ſo near a relation; and Philip duke of Burgundy, the moſt magnificent prince of that age, was no leſs profuſe in equipping his favourite ſon. Several months were ſpent in adjuſting the preliminaries of this famous combat, and in performing all the pompous ceremonies preſcribed by the laws of chivalry. Edward IV. granted a ſafe conduct, October 29, A. D. 1466, to the baſtard of Burgundy, earl of La Roche, with a thouſand perſons in his company, to come into England, to perform certain feats of arms with his dearly-beloved brother Anthony Widivile, lord Scales and Nucelles [12]. But ſo many punctilios were to be ſettled by the intervention of heralds, that the tournament did not take place till June 11, A. D. 1467. Strong liſts having been erected in Smithfield, 120 yards and 10 feet long, 80 yards and 10 feet broad, with fair and coſtly galleries all around, for the accommodation of the king and queen, attended by the lords and ladies of the court, and a prodigious number of lords, knights, and ladies of England, France, Scotland, and other countries, in their richeſt dreſſes; the two champions entered the liſts, and were conducted to their pavilions. There they underwent the uſual ſearches, and anſwered the uſual queſtions, and then advanced into the middle of the liſts. "The firſt day they ranne together

[12] Rym. Fœd. tom. 11. p. 573.

"with

" with ſharp ſpears, and departed with equal ho-
" nour. The next day they turneyed on horſe-
" back. The lord Scales horſe had on his chaf-
" fron a long ſharp pike of ſteel; and as the two
" champions coaped together, the ſame horſe
" thruſt his pike into the noſtrills of the baſtard's
" horſe; ſo that, for very pain, he mounted ſo
" high, that he fell on the one ſide with his maſter;
" and the lord Scales rode about him with his
" ſword drawn in his hand, till the king com-
" manded the marſhal to help up the baſtard, who
" openly ſaid, I cannot hold me by the clouds;
" for though my horſe fail me, I will not fail my
" encounter-companion. But the king would not
" ſuffer them to do any more that day. The next
" morrow, the two noblemen came into the field
" on foot, with two polaxes, and fought valiantly;
" but at the laſt the point of the polaxe of the lord
" Scales happened to enter into the ſight of the
" baſtard's helm, and by fine force might have
" plucked him on his knees: but the king ſud-
" denly caſt down his warder, and then the mar-
" ſhal ſevered them. The baſtard, not content with
" this chance, required the king, of juſtice, that
" he might performe his enterprize. The lord
" Scales refuſed not. But the king, calling to him
" the conſtable and the marſhal, with the officers
" of arms, after conſultation had, it was declared
" for a ſentence definitive, by the duke of Cla-
" rence, then conſtable of England [12], and the
" duke

[12] John Tiptoft, earl of Worceſter, and not the duke of Clarence, was

" duke of Norfolk, then marſhal, that if he would " go forward with his attempted challenge, he " muſt, by the law of arms, be delivered to his " adverſary in the ſame ſtate and like condition as " he ſtood when he was taken from him. The " baſtard, hearing this judgment, doubted the " ſequel of the matter, and ſo relinquiſhed his " challenge [14]."

Bravery.

The bravery and martial ardour of both the Britiſh nations never appeared more conſpicuous than in the preſent period, particularly in the reign of Henry V. The Engliſh under that heroic prince ſeemed to be invincible; and fought with ſo much courage and ſucceſs, that, towards the end of his reign, they had a very probable proſpect of making a complete conqueſt of the great and populous kingdom of France. The Scots were much admired for the ſteady intrepidity with which they defended themſelves, and the ſeaſonable and ſucceſsful ſuccours they ſent to their ancient allies in their greateſt diſtreſs, when they were on the brink of ruin, and forſaken by all the world.

Subject to change.

But national as well as perſonal courage is ſubject to ſudden and ſurpriſing changes, which are ſometimes produced by very trifling cauſes. There is not a more remarkable example of this in hiſtory, than that extraordinary revolution in the ſpirits of the French and Engliſh armies, at the ſiege

was then conſtable. See Rym. Fœd. tom 11. p. 581. Biographia Britannica, vol. 2. p. 1231. Note.

[14] Stow, p. 420.

of

of Orleans, A. D. 1428, which hath been already mentioned [15]. Before that period, the Engliſh fought like lions, and the French fled before them like ſheep. But as ſoon as the Maid of Orleans, a poor obſcure ſervant-girl, about ſeventeen years of age, appeared on the ſcene of action, the fortune of the war, and the ſpirits of the contending nations, were entirely changed. The French became bold and daring, the Engliſh daſtardly and deſponding. The terror of that dreaded heroine was not confined to the Engliſh army in France, but ſeized the great body of the people at home, and made many who had enliſted in the ſervice, deſert, and hide themſelves in holes and corners. This appears from the proclamations iſſued in England, commanding the ſheriffs of London, and of ſeveral counties, to apprehend thoſe who had deſerted and concealed themſelves *for fear of the Maid* [16]. As it is imprudent to diſcover any diſtruſt of national courage when war is neceſſary, it is no leſs imprudent to plunge a nation into a war, from too great a reliance on a quality that may fail when it is leaſt expected.

Hoſpitality of the great.

The hoſpitality of our anceſtors, particularly of the great and opulent barons, hath been much admired, and conſidered as a certain proof of the nobleneſs and generoſity of their ſpirits. The fact is well atteſted. The caſtles of the powerful barons were capacious palaces, daily crowded with their

[15] See vol. 9. p. 91, &c.
[16] Rym. Fœd. tom. 10. p. 459 472.

numerous

numerous retainers, who were always welcome to their plentiful tables. They had their privy counſellors, their treaſurers, marſhals, conſtables, ſtewards, ſecretaries, chaplains, heralds, purſuivants, pages, henſhmen or guards, trumpeters, minſtrels, and, in a word, all the officers of the royal court [17]. The etiquette of their families was an exact copy of that of the royal houſehold; and ſome of them lived in a degree of pomp and ſplendour little inferior to that of the greateſt kings. Richard Nevile, earl of Warwick, we are told, "was ever had "in great favour of the commons of the land, "becauſe of the exceeding houſehold which he "daily kept in all countries wherever he ſo"journed or lay; and when he came to London, "he held ſuch an houſe, that ſix oxen were eaten "at a breakfaſt; and every tavern was full of his "meat [18]." The earls of Douglas in Scotland, before the fall of that great family, rivalled, or rather exceeded their ſovereigns in pomp and profuſe hoſpitality. But to this manner of living, it is highly probable, theſe great chieftains were prompted, by a deſire of increaſing the number and attachment of their retainers, on which, in thoſe tumultuous times, their dignity, and even their ſafety, depended, as much as on the innate generoſity of their tempers. Theſe retainers did not conſtantly reſide in the families of their lords; but they wore their liveries and badges, frequently

[17] See the Northumberland Family Book.
[18] Stow, p. 421.

feaſted

feaſted in their halls, ſwelled their retinues on all great ſolemnities, attended them on their journies, and followed them into the field of battle. Some powerful chieftains had ſo great a number of theſe retainers conſtantly at their command, that they ſet the laws at defiance, were formidable to their ſovereigns and terrible to their fellow-ſubjects; and ſeveral laws were made againſt giving and receiving liveries [19]. But theſe laws produced little effect in this period.

Of inferior ranks.

Hoſpitality was not confined to the great and opulent, but was practiſed rather more than it is at preſent by perſons in the middle and lower ranks of life. But this was owing to neceſſity, ariſing from the ſcarcity of inns, which obliged travellers and ſtrangers to apply to private perſons for lodging and entertainment; and thoſe who received them hoſpitably acquired a right to a ſimilar reception. This was evidently the caſe in Scotland in the firſt part of this period. James I. A. D. 1424, procured the following act of parliament: "It is ordanit, that in all burrow townis, and "throuchfairis quhair commoun paſſages ar, "that thair be ordanit hoſtillaries and reſettis, "havand ſtables and chalmers; and that men find "with thame bread and aill, and all uther fude, "alſweil for horſe as men, for reſonable price [20]." But travellers had been ſo long accuſtomed to

[19] See Statute 1st Hen. IV. c. 7. 9th Hen. IV. c. 14. 8th Edward IV. c. 4.

[20] Black Acts, James I. par. 1. c. 26.

lodge in private houſes, that theſe public inns were quite neglected; and thoſe who kept them preſented a petition to parliament, complaining, "That the liegis travelland in the realme, quhen "they cum to burrowis and throuchfairis, herbreis "thame not in hoſtillaries, bot with thair acquaint-"ance and freindis[21]." This produced an act prohibiting travellers to lodge in private houſes where there were hoſtalries under the penalty of 40 s. and ſubjecting thoſe who lodged them to the ſame penalty.

Religion. The people of Britain were not chargeable with the contempt, or even neglect, of the ceremonies of religion in this period. On the contrary, many of them ſpent much of their time and money in performing thoſe ceremonies. To ſay nothing of the almoſt conſtant ſervice in cathedral and conventual churches, all the great barons had chapels in their caſtles, which very much reſembled cathedrals, in the number of their clergy and choriſters; the richneſs of their furniture and images; and the pomp and regularity with which the ſervice of the church was daily performed. The earl of Northumberland, for example, had conſtantly in his family a dean of his chapel, who was a doctor of divinity, a ſubdean, and nine other prieſts; eleven ſinging men and ſix ſinging boys; in all, twenty-eight; who daily performed divine ſervice in his chapel, at matins, lady-maſs, high-maſs, even-ſong, and complyne. The four firſt ſinging men

[21] Black Acts, James I. par. 3. c. 61.

acted

acted as organiſts, weekly by turns[22]. This was a very ſplendid and expenſive eſtabliſhment, conſiſting of greater numbers than are now to be found in ſeveral cathedrals.

Superſtition.

But unhappily the religion of our anceſtors in thoſe times was ſo ſtrongly tinctured with groſs irrational ſuperſtition, that it had little tendency to enlighten their minds, regulate their paſſions, or reform their lives. Their creed contained ſome articles, that their very ſenſes, if they durſt have uſed them, might have convinced them could not be true; and others that were equally contrary to reaſon and revelation. The ceremonies of their worſhip were mere mechanical operations, in which their minds had little or no concern; and they were taught to place their hopes of the divine favour on ſuch fallacious grounds, as the pardons of a venal prieſt, the patronage of a ſaint, pilgrimages, faſtings, flagellations, and the like. But the moſt odious feature of the religion of thoſe times was its horrid cruelty and intolerance, which prompted them to burn their fellow-chriſtians to aſhes, becauſe they dared to think for themſelves, and to worſhip God in a manner which they believed to be more acceptable than the eſtabliſhed forms.

Perjury.

It is one evidence amongſt many others, that their religion had little influence on their morals, that perjury prevailed to a degree that is hardly credible; and the obligations of the moſt ſolemn oaths were almoſt totally diſregarded by perſons of

[22] See Northumberland Family book, p. 223—225.

all ranks. Of this the reader muſt have obſerved many examples in the preceding hiſtory, particularly in the conduct of Edward IV. and Richard III [23]. All the lords, ſpiritual and temporal, in the famous parliament at Shrewſbury, A. D. 1398, called *the great parliament*, took a ſolemn oath on the croſs of Canterbury, never to ſuffer any of the acts of that parliament to be changed; and yet theſe ſame lords in leſs than two years after, repealed all theſe acts [24]. Various ceremonies were invented to give additional ſolemnity to oaths, and ſecure their obſervation. Philip the good duke of Burgundy, A. D. 1453, in the middle of a great feaſt, and in the preſence of his whole court, had a roaſted pheaſant brought to his table, with great pomp, and ſwore over it a moſt tremendous oath, that he would march an army againſt the great Turk; and all the lords and knights of his court ſwore in the ſame manner that they would march with him: but none of them performed their oaths [25]. It is no wonder that the common people were ſo profligate in this reſpect, that not a few of them, we are told, lived by ſwearing for hire in courts of juſtice [26].

Swearing in converſation.

The Engliſh were remarkable in this period, among the nations of Europe, for the abſurd and impious practice of prophane ſwearing in converſation. The count of Luxemburg, accompanied

[23] See vol. 9. p. 214. 248. 252.
[24] See vol. 7. p. 357. vol. 9. p. 4.
[25] Monſtrelet, tom. 3. fol. 56. [26] Wilkin Con. p. 534.

by

by the earls of Warwick and Stafford, viſited the Maid of Orleans in her priſon at Rouen, where ſhe was chained to the floor, and loaded with irons. The count, who had ſold her to the Engliſh, pretended that he had come to treat with her about her ranſom. Viewing him with juſt reſentment and diſdain, ſhe cried, "Begone! You have neither the inclination nor the power to ranſom me." Then turning her eyes towards the two earls, ſhe ſaid, "I know that you Engliſh are determined to put me to death; and imagine, that after I am dead, you will conquer France. But though there were an hundred thouſand more God-dam-mees in France than there are, they will never conquer that kingdom[27]." So early had the Engliſh got this odious nickname, by their too frequent uſe of that horrid imprecation. A contemporary hiſtorian, who had frequently converſed with Henry VI. mentions it as a very remarkable and extraordinary peculiarity in the character of that prince, that he did not ſwear in common converſation, but reproved his miniſters and officers of ſtate when he heard them ſwearing[28].

Credulity.

An exceſſive irrational credulity ſtill continued to reign in all the nations of Europe, and ſeems to have prevailed rather more in Britain than in ſome other countries. Of this many proofs might be produced. There was not a man then in England

[27] Villaret, tom. 15. p. 27.
[28] Otterbourne, edit. a T. Hearne, tom. 1. p. 300.

who entertained the leaſt doubt of the reality of ſorcery, necromancy, and other diabolical arts [29]. Let any one peruſe the works of Thomas Walſingham, our beſt hiſtorian in this period, and he will meet with many ridiculous miracles, related with the greateſt gravity, as the moſt unqueſtionable facts. The Engliſh were remarkable for one ſpecies of credulity peculiar to themſelves, viz. a firm belief in the predictions of certain pretended prophets, particularly of the famous Merlin. Philip de Comines, in his relation of what paſſed at the interview between Edward IV. and Lewis XI. on the bridge of Picquiny, (at which he was preſent), acquaints us, that after the two kings had ſaluted one another, and converſed a little together, the biſhop of Ely, chancellor of England, began a harangue to the two monarchs, by telling them, that the Engliſh had a prophecy, that a great peace would be concluded between France and England at Picquiny; for the Engliſh (ſays Comines) are great believers in ſuch prophecies, and have one of them ready to produce on every occaſion [30].

The Engliſh bad negociators.

The Engliſh frequently defeated the French in the field in this period, but were generally defeated by them in the cabinet. Philip de Comines, who was an excellent judge of mankind, and ſeems to have ſtudied the national character of the Engliſh with great care, acknowledged that they were but

[29] W. Wyrceſter, p. 461. 471. Rym. Fœd. tom. 8. 427. Wilkin. Concil. tom. 2. p. 394.

[30] Memoires de Philippe de Comines, l. 4. c. 10.

blun-

blundering negociators, and by no means a match for the French. They were eaſily impoſed upon, he ſays, by diſſimulation, apt to fall into a paſſion, and to become impatient when they were contradicted; and, in a word, that they were not ſo ſubtile, inſinuating, and patient, as their adverſaries, who took advantage of all their foibles[31]. The Engliſh certainly committed a moſt grievous error in withdrawing, in a paſſion, from the great congreſs at Arras, A. D. 1435[32]. No prince was ever more ſhamefully deceived by another than Edward IV. by that artful and faithleſs monarch Lewis XI.

A fierce, and even cruel ſpirit too much prevailed in both the Britiſh nations in this period, and formed a diſagreeable feature in their national characters. This was owing to the violent conteſts, and almoſt conſtant wars, in which they were engaged; which hardened their hearts, inflamed their paſſions, and made them familiar with blood and ſlaughter. The reader muſt have met with ſo many proofs of this fierce and cruel ſpirit, in peruſing the firſt chapter of this book, that it is as unneceſſary as it would be unpleaſant, to multiply examples of it in this place. It is ſufficient to obſerve in general, that the wars and battles of this period were uncommonly fierce and ſanguinary; that priſoners of diſtinction were generally put to death on the field, in cold blood; that aſſaſſina- Ferocity.

[31] Memoires de Philippe de Comines, l. 4. c. 6. 9.

[32] See vol. 9. p. 109.

tions and murders were very frequent, perpetrated on perſons of the greateſt eminence, by the hands of kings, nobles, and near relations. The ferocity of thoſe unhappy times was ſo great, that it infected the fair and gentle ſex, and made many ladies and gentlewomen take up arms, and follow the trade of war. "At this ſiege (of Sens, A. D. "1420) alſo lyn many worthy laydes and gentil-"women, both French and Engliſh; of the whiche "many of hem begonne the faitz of armes long "time agoon, but of lyying at ſeges now they be-"gynne firſt [33]." But the women of Wales, on one occaſion, are ſaid to have been guilty of deeds ſo horrid and indelicate, that they are hardly credible; and are therefore related in the words of the original author, in the note below [34].

When

[33] Rym Fœd. tom. 9. p. 911.

[34] Eo tempore (A. D. 1402) Howenus Gleyndor aſſuetis intendens irruptionibus, pene totam militiam Herefordenſis provinciæ provocavit ad arma, cui ducatum præbuit Edmundus de Mortuomari. Sed cum perventum fuiſſet ad actum martium, proditione mediante, et Edmundus captus at cæteri victi ſunt, occiſis de noſtratibus amplius quam mille viris. Quorum genitalia mulieres Wallenſium poſt conflictum abſciderunt, et membrum pudendum in ore cujuſlibet interempti poſuerunt, teſticuloſque a mento dependere fecerunt, naſoſque præcſos in oculis eorundem preſſerent, et ſepulturam mortuis cadaveribus prohibuerunt. *T. Walſing.* p. 557.

Shakeſpeare ſeems to have peruſed the above, of which the following lines are a delicate guarded tranſlation:

. . . . . There came
A poſt from Wales, loaden with heavy news;
Whoſe worſt was, that the noble Mortimer,
Leading the men of Herefordſhire to fight

Againſt

Robbery.

When we conſider the ſtate of the country, the condition and character of many of its inhabitants, we ſhall not be ſurpriſed to hear that England was much infeſted with robbers in this period. Sir John Forteſcue, chief juſtice of the king's-bench in the reign of Henry VI. acknowledges that robbery was much more frequent in England than in France or Scotland; and, which is remarkable in one of his profeſſion, he boaſts of this as a proof of the ſuperior courage of the Engliſh. "It hath "ben often ſeen in England, that three or four "theſes hath ſett upon ſeven or eight true men, "and robyd them al. But it hath not ben ſeen "in Fraunce, that ſeven or eight theſes have ben "hardy to robbe three or four true men. Wher-"for it is right ſeld that Frenchmen be hangyd "for robberye, for that thay have no hertys to do "ſo terrible an acte. There be therfor mo men "hangyd in England, in a yere, for roberye and "manſlaughter, than there be hangyd in Fraunce, "for ſuch cauſe of crime, in ſeven yers. There "is no man hangyd in Scotland in ſeven yers to-"gether for robberye; and yet thay be often tymes "hangyd for larceny and ſtelyng of goods in the "abſence of the owner therof: but their harts

Againſt th' irregular and wild Glendower,
Was by the rude hands of that Welſhman taken;
A thouſand of his people butchered.
Upon whoſe dead corps their was ſuch miſuſe,
Such beaſtly ſhameleſs transformation
By the Welſhwomen done, as may not be,
Without much ſhame, retold, or ſpoken of.
1ſt Part Henry IV. Act 1. Scene 1.

"ſerve

" ſerve them not to take a manny's goods, while " he is preſent, and will defend it; which maner " of takying is called robberye. But the Engliſh " men be of another corage: for if he be poer, " and ſee another man having richeſſe, which " may be takyn from him by might, he wol not " ſpare to do ſo[35]." Whatever becomes of the reaſoning of the chief juſtice, his authority is ſufficient to eſtabliſh this fact, that robbery prevailed much more in England than in France or Scotland, in his time.

Manners of the clergy.

The manners of the clergy in the preceding period, which have been ſo fully deſcribed in the eighth volume of this work, were ſo ſimilar to thoſe of the times we are now delineating, that, to prevent unneceſſary repetitions, the reader may be referred to that deſcription[36]. For though Dr. Wickliffe and his followers declaimed with as much vehemence againſt the pride, ambition, avarice, cruelty, luxury, and other vices of the clergy, as againſt their erroneous doctrines and ſuperſtitious ceremonies, they declaimed in vain: the clergy were at leaſt as much attached to their riches, their honours, and their pleaſures, as to their ſpeculative opinions; and as unwilling to abandon their vices as to renounce their errors. In a word, the generality of the Britiſh clergy in this period were neither more learned, nor more virtuous, than their immediate predeceſſors; and ſeem to have differed

[35] Sir John Forteſcue on the Difference between an abſolute and limited monarchy, ch. 13.

[36] See vol. 8. p. 367—371.

from

from them in nothing but in the ſuperior cruelty with which they perſecuted the unhappy Lollards.

Manners of youth.

Great cities in general are not very friendly to the virtue of their inhabitants, eſpecially of the young and opulent. Honeſt Mr. Caxton obſerved concerning the youth of London in his time, that when they were very young, they were exceedingly amiable and promiſing; but that when they arrived at riper years, many of them diſappointed the hopes of their friends, and diſſipated the wealth that had been left them by their parents. "I ſee that the "children that ben borne within the ſayd cyte "(London) encreaſe and prouffyte not like their "faders and olders; but for mooſte parte, after "that they ben comeyn to theyr perfight yeres of "diſcrecion, and rypenes of age, how well that "theyre faders have leſte to them grete quantite "of goodes, yet ſcarcely amonge ten two thryve. "O bleſſed Lord! whan I remembre thys, I am "al abaſhed: I cannot juge the cauſe; but fayrer, "ne wyſer, ne bet beſpoken children in theyre "youthe ben no wher than ther ben in London; "but at thyr ful rypying, there is no carnel, ne "good corn founden, but chaff for the mooſt "part [37]."

Compariſon.

It would be improper to purſue this unpleaſant ſubject any further. If our anceſtors in this period were free from certain vices and follies which are too prevalent among their poſterity in the preſent

[37] Ames' Hiſtory of Printing, p. 37.

age,

age, they were guilty of others, ſome of them of a very odious nature, which do not now prevail. Let us not then imagine, from an ill-founded veneration for antiquity, that the former times were better than theſe. In ſeveral reſpects they were certainly much worſe, as well as more unhappy.

Language.

The living language of a great commercial people, who cultivate the ſciences, and have much intercourſe with other nations, is liable to perpetual changes. Theſe changes are introduced by ſlow imperceptible degrees; but in the courſe of a few ages they become conſpicuous. The language (for example) of the people of England, in the eleventh, twelfth, and thirteenth centuries, is now as unintelligible to their poſterity, as a dead or foreign language. Of this any reader may be convinced, by looking into the Saxon chronicle, or turning to the ſpecimens of the language of thoſe times in the preceding volumes of this work [38]. In the fourteenth century, the people of England began to ſpeak a language which may be called Engliſh; though it was ſtill ſo different from that which is ſpoken by their poſterity in the preſent age, that it can hardly be underſtood without the aſſiſtance of a gloſſary [39].

Greater changes in the language of the vulgar than of the learned.

The language of the vulgar, in every age, is conſiderably different from that of the polite and learned; and in ſome times there are greater changes in the one than in the other. In our pre-

[38] See vol. 4. p. 368, 369.; vol. 6. p. 352, 353.; vol. 8. App. N° 4.

[39] See the works of Chaucer, Gower, &c.

ſent

ſent period, we find few or no improvements in the language of the learned, becauſe there were few or no improvements made in learning. The works of Chaucer and Gower, who flouriſhed in the fourteenth century, are as intelligible to a modern reader, as thoſe of king James I. Lydgate, or Occleve. But we learn from the teſtimony of William Caxton, that the language of the common people of England underwent a very remarkable change in the courſe of this period. "Certaynly "the langage now uſed (A. D. 1490) varyeth "ferre from that which was uſed and ſpoken whan "I was born. For we Engliſhe men ben borne "under the domynacyon of the mone, which is "never ſtedfaſte, but ever waverynge[40]." The difference between the language moſt commonly uſed and moſt generally underſtood, and that which was affected by the polite and learned, was then ſo great, that Mr. Caxton (who was much employed in tranſlating books out of French into Engliſh) was greatly perplexed what words to uſe, in order to render its tranſlations univerſally uſeful and agreeable. "Some gentylmen (ſays he) have "blamed me, ſaying, that in my tranſlacyons I "had over curyous termes, which could not be "underſtande of comyn peple, and deſired me to "uſe olde and homely terms in my tranſlacyons; "and fayn wolde I ſatisfy every man.——But "ſom honeſt and grete clerkes have been wyth me, "and deſired me to wryte the moſte curyous termes

[40] Ames' Hiſtory of Printing, p. 52.

"that

" that I coude fynde. And thus between playn, " rude, and curious, I ſtand abaſhed[41]." To extricate himſelf out of this difficulty, Caxton very wiſely reſolved to uſe terms neither over-rude nor over-curious.

Different dialects.

Difference of dialect is common to every language, in every age and country, eſpecially in countries of great extent, and divided into many provinces. This difference was ſo great in England, in this period, that (as we are told) the inhabitants of one county hardly underſtood thoſe of another. " That comyne Engliſhe that is ſpoken " in one ſhyre varyeth from another; inſomuche, " that in my dayes happened, that certayn mer- " chaunts were in a ſhipp in Tamyſe, for to have " failed over the ſee into Zelande, and for lacke " of wynd they taryed atte Forland, and went to " land for to refreſhe them; and one of them, " named Sheffelde, a mercer, came into an hows, " and axed for mete, and ſpecyally he axed after " egges; and the good wyf anſwerde, That ſhe " coude ſpeke no Frenſhe. And the merchaunt " was angry; for he alſo coude ſpeke no Frenſhe; " but wolde have hadde egges, and ſhe underſtode " hym not. And thenne at laſt another ſayd, that " he wolde have eeyren; thenne the good wyf ſayd, " that ſhe underſtode him well[42]."

Spelling unſettled.

From the many ſpecimens that have been given of the Engliſh of this period, in this and the preceding chapters of this book, from the beſt writers

[41] Ames' Hiſtory of Printing, p. 52. [42] Id. ibid.

both

both in proſe and verſe, the reader muſt have obſerved with ſome ſurpriſe their various, ſtrange, irregular manner of ſpelling, which contributes not a little to the obſcurity of their writings. Spelling, in thoſe times, was ſo perfectly arbitrary and unſettled, that the ſame writer ſpelt the ſame word two or three different ways in the ſame page. In a word, every writer contented himſelf with putting together any combination of letters that occurred to him at the time, which he imagined would ſuggeſt the word he intended to his readers, without ever reflecting what letters others uſed, or he himſelf had uſed, on former occaſions, for that purpoſe.

Language of Scotland.

It is difficult to diſcover any very material difference between the language of England and of the low lands of Scotland, in this period; the writers of the one country being as intelligible to a modern reader as thoſe of the other. Of this any one may be convinced, by comparing the works of Jeoffry Chaucer and John Barbour, or of any two contemporary writers of the two countries. There was probably a conſiderable difference in the pronunciation, as there is at preſent.

Laws in French.

Cuſtoms which have been long eſtabliſhed are apt to be continued, after the change of circumſtances hath rendered them abſurd and inconvenient. Could any cuſtom be more inconvenient and unreaſonable, than to compoſe and promulgate the laws of a country in a language which few of the legiſlators, and hardly any of the other inhabitants, underſtood? Such a cuſtom prevailed in England in this period. The numerous ſtatutes made

made in the reigns of Henry IV. V. and VI. and of Edward IV. except a very few in Latin, were compoſed, recorded, and promulgated in French [43]; though that language was then very little underſtood or uſed in England. Many proofs might be produced of this laſt fact; but the expreſs teſtimony of an author of undoubted credit, who flouriſhed in thoſe times, will, I hope, be thought ſufficient. Honeſt William Caxton aſſures us that the great motives which induced him to ſpend ſo much of his time in tranſlating books out of French into Engliſh, were, "1. Becauce moſt "quantyty of the peple underſtoude ne Frenſhe "here in thiis noble royame of England—and, "2. To ſatisfy the requeſtes of his ſyngular good "lordes," who needed theſe tranſlations as well as others [44]. Richard III. and his parliament, which met at Weſtminſter, 20th January A. D. 1483, put an end to this abſurd cuſtom, by framing their acts in the Engliſh language [45]. The acts of the parliaments of Scotland, from the beginning of this period, were compoſed in Engliſh, or in the language of the low lands, and moſt populous parts of that kingdom, which was alſo underſtood by the chieftains in the Highlands [46].

Diet. As the people of England, in this period, poſſeſſed great abundance of excellent wool, and had made conſiderable progreſs in the cloathing arts, it is probable that they were comfortably and de-

[43] See Statute, vol 1, 2.
[44] Statutes 1ſt Richard III.
[45] Ames, p. 47.
[46] See Black Acts.

cently

cently dreſſed. This conjecture is confirmed by the unexceptionable teſtimony of ſir John Forteſcue; who, in proving that the Engliſh, who lived under a limited monarchy, were much happier than their rivals the French, who lived under a deſpotic government, gives this as one example of their ſuperior happineſs, that they were much better dreſſed or clothed. "The French weryn "no wollyn, but if it be a pore cote, under their "uttermoſt garment, made of grete canvas, and "call it a frok. Their hoſyn be of like canvas, and "paſſin not their knee; wherefor they be garter-"ed, and their thyghs bare. Their uifs and "children gone bare fote[47]. But the Engliſh "wear fine wollen cloth in all their apparell. "They have alſo abundance of bed coverings in "their houſes, and of all other wollen ſtuffe[48]." It is probable, however, that ſir John Forteſcue, in this paſſage, ſpeaks only of yeomen, ſubſtantial farmers, and artificers. For it appears, from an act of parliament made A. D. 1444, for regulating the wages and clothing of ſervants employed in huſbandry, that their dreſs and furniture could hardly anſwer the above deſcription. By that law a bailiff or overſeer was to have an allowance of 5 s. equivalent to 50 s. a-year, for his clothing; a hind or principal ſervant, 4 s. equivalent to 40 s. at preſent; an ordinary ſervant, 3s. 4d. equivalent to 33s. 4d.[49]. But as all theſe perſons were allowed

[47] Forteſcue on abſolute and limited Monarchy, c. 3.
[48] De Laudibus Legum Angliæ, cap. 36
[49] Statute 23d Hen. VI. c. 12.

meat, drink, and wages, they might be comfortably and decently clothed, by expending a part of their wages on their clothing. The dreſs of labourers and common people in this period appears to have been ſimple and well contrived, conſiſting of ſhoes, hoſe made of cloth, breeches, a jacket and coat buttoned, and faſtened about the body by a belt or girdle. They covered their heads with bonnets of cloth [50]. As the common people could not afford to follow the capricious changes of faſhion, the dreſs of both ſexes in that order ſeems to have continued nearly the ſame through ſeveral ages.

Robes of the nobility, &c.

But comfort and decency are not the only, very often not the chief objects regarded in dreſs. It hath been an ancient and univerſal cuſtom, to diſtinguiſh the different ranks and profeſſions in ſociety by their different robes and dreſſes. The robes worn by the kings, princes, dukes, earls, lords, and knights of England, on public ſolemnities, are ſo well known, and have been ſo often deſcribed, that a minute delineation of them in this place is unneceſſary, and would be tedious. As thoſe of perſons of rank in Scotland, in this period are not ſo generally known, they may be briefly mentioned [51]. The robes of the earls, lords of parliament, and burgeſſes, in the parliaments of Scotland, were prefcribed by the following law made in the reign of James II. A. D. 1455: "It

[50] See Mr. Strutt's uſeful work, vol. 2. plate 3.

[51] See Selden's Titles of Honour, Anſtis's hiſtory of the Garter, Strutt's Antiquities.

it is

" is ſtatute and ordainit, that all erlis ſall uſe " mantillis of browne granit, oppin befoir, furrit " with quhyte lyning, and lynit befoir outwith an " hand braid to the belt ſteid, with ſamen furring, " with lytell huds of the ſaimen claith, and to the " uſit upon their ſchuldaris. And the other " lordis of parliament to have an mantell of reid, " rychtſwa oppenit befoir, and lynit with ſilk, or " furrit with criſty gray greece, or purray, togid- " der with an hude of the ſamen claith, furrit as " ſaid is. And all commiſſaries of burrowis, ilk " ane to have ane pair of clokis of blew, furrt fute " ſyde, oppin on the rycht ſchuldar, furrit as " affeiris, and with huds of the ſamen, as ſaid is. " And quhat erl, lord of parliament, commiſſaries " of burrowis, that enteris in parliament or gene- " rall counſall but [without] the ſaid habit furrit, " ſall furthwith pay tharefter ten punds to the " king unforgiven [52]." By the ſame law, advo- cates, who ſpoke for money in parliament, are commanded " to have habits of grene, of the faſ- " ſoun of a tunekil, and the ſleves to be oppin as " a talbert [53]." How antic and ridiculous an appearance would an advocate make at the bar, in the preſent age, in this dreſs! But the magic power of faſhion makes almoſt any habit appear graceful while it is faſhionable.

Faſhions.

As vanity contributed as much as neceſſary to the introduction and uſe of clothing, that power- ful univerſal paſſion has preſided ever ſince in the

[52] Black acts, 28th James II. chap. 52. [53] Ibid.

province of dreſs, and produced an almoſt innumerable multitude of modes and faſhions in every age. Many of theſe faſhions appear to us ridiculous; ſome of them were certainly inconvenient; few of them deſerve to be recorded or revived; and therefore a very brief notice of the moſt remarkable of them, it is hoped, will be ſufficient to gratify the reader's curioſity. To attempt a minute detail of them all, in regular ſucceſſion, would be as vain as to attempt ſuch a detail of the ſhape of laſt year's clouds, and as unbecoming the dignity of general hiſtory.

Long pointed ſhoes.

Thoſe faſhions that are moſt abſurd and troubleſome, and moſt keenly oppoſed and cenſured, are commonly moſt permanent. Folly is fickle when it is let alone, but obſtinate when it is oppoſed. No faſhion could be more abſurd and troubleſome than that of the long-pointed ſhoes, with which they could not walk till they were tied to their knees with chains. This faſhion was condemned by the papal bulls, and the decrees of councils, and declaimed againſt with great vehemence by the clergy; and yet it prevailed, in ſome degree, almoſt three centuries [54]. At length the parliament of England interpoſed, by an act, A. D. 1463, prohibiting the uſe of ſhoes or boots with pikes exceeding two inches in length, and prohibiting all ſhoemakers to make ſhoes or boots with longer pikes, under ſevere penalties [55]. But even this was

[54] W. Malmſ. p. 69. J. Roſſii Hiſt. p. 205.
[55] Statutes, 3d Edw. IV. ch. 1.

not

not ſufficient to put an end to this ridiculous inconvenient faſhion. The civil power was obliged to call in the aid of the church; and a proclamation was publiſhed in all parts of England, denouncing the dreadful ſentence of excommunication, beſides all other penalties, againſt all who wore ſhoes or boots with pikes longer than two inches [56].

Dreſs of a beau.

The dreſs of the beaux and fine gentlemen of England, in this period, was remarkably ſcrimp and light. Their ſtockings and breeches were in one piece, as tight to their limbs as poſſible, like the tartan trouſe of the gentlemen in the highlands of Scotland. Their coats or jackets were very ſhort, reaching only an inch or two below the top of their breeches; and John Rows of Warwick complains bitterly, that by the ſhortneſs of their coats they expoſed thoſe parts to view which ought to have been concealed [57]. Parliament alſo attempted to prevent this indecency, and made an act, A. D. 1463, that no man ſhould wear a jacket but what was of ſuch a length, that when he ſtood upright it ſhould hide his buttocks [58]. But the power of faſhion was greater than the power of parliament. Long hair was much admired by the gay, and as much condemned by the grave, particularly by the clergy, in this period. John Rows reproaches the beaux of his time for ſuffering their long hair to cover their foreheads, on which they had been

[56] Stow, p. 419. [57] J. Roſſii Hiſt. p. 131.
[58] Statutes, 3d Edw. IV. Stow, p. 417.

marked with the ſign of the croſs, at their baptiſm[59]. On their heads they wore bonnets of cloth, ſilk, or velvet, adorned with pearls and precious ſtone[60]. In winter and bad weather they uſed mantles, which were at ſome times as ſhort as their jackets, and at other times ſo long, that their ſleeves reached the ground. Theſe mantles with long ſleeves are ridiculed by the poet Occleve, in the following lines:

Now hath this land little nede of broomes,
To ſweep away the filth out of the ſtreete,
Sin ſide ſleeves of pennileſs grooms
Will it uplicke, be it dry or weete.

When Henry prince of Wales, afterwards Henry V. waited on his father Henry IV. in order to make his peace, he was dreſſed in a mantle or gown of blue ſattin, full of ſmall oylet holes, with a needle hanging at every hole by a ſilk thread[61]. This was ſufficiently ridiculous, but it was the faſhion.

Ladies head dreſs.

The young, gay, and opulent of the fair ſex were not leſs fond of ornaments, nor leſs fickle and fanciful in the faſhions of their dreſs, than their admirers. As it would be ungraceful to dwell on this ſubject, I ſhall mention only one of theſe faſhions. The head-dreſſes of the ladies were exceedingly large, lofty, and broad. This mode was

59 J. Roſſii Hiſt. p. 131.
60 See the figure of a Beau in Strutt's Antiquities, vol. 3. plate 1.
61 Hollingſhead, p. 1160.

intro-

introduced in the preceding period, prevailed long both in France and England, and at length arrived at a moſt enormous pitch [62]. When Izabel of Bavaria, the vain, voluptuous conſort of Charles VI. kept her court at Vincennes, A. D. 1416, it was found neceſſary to make all the doors of the palace both higher and wider, to admit the head dreſſes of the queen and her ladies [63]. To ſupport the breadth of theſe dreſſes, they had a kind of artificial horn on each ſide of the head, bending upwards, on which many folds of ribbons and other ornaments were ſuſpended. From the top of the horn on the right ſide, a ſtreamer, of ſilk or ſome other light fabric, was hung, which was ſometimes allowed to fly looſe, and ſometimes brought over the boſom, and wrapt about the left-arm [64]. Theſe head-dreſſes, by their immenſe ſize, admitted a great variety of ornaments, and thereby afforded the ladies an opportunity of diſplaying their taſte and fancy to advantage.

Sumptuary laws.

The extravagance of both ſexes, and of all ranks in their dreſs, hath been a ſubject of complaint in every age, and in none more than in our preſent period. The parliament of England attempted to ſet bounds to that extravagance, by ſeveral ſumptuary laws, particularly by two acts in the reign of Edward IV [65]. But vanity is invincible; and theſe,

[62] See vol 8. p 402. J. Roſſi Hiſt. p. 205.

[63] Villaret, tom. 13. p. 423.; Monſtrelet, f. 39. col. 2.; Paſquier, p. 578.

[64] See Strutt, vol. 2. plate 6.

[65] Statutes, 3d and 22d Edw. IV.

and other acts of that kind, ſerved only to give a different turn to extravagance.

In Scotland. When we reflect on the unhappy circumſtances of the people of Scotland in this period, we might imagine that there could be no need of ſumptuary laws in that kingdom. But that was not the caſe. In the reign of James II. the following curious law was made, A. D. 1457: "That ſen the realme in "ilk eſtate is gretumly purit throw ſumptuous "cleithing, baith of men and women, and in ſpe- "cial within burrowis, the lords thinkis ſpeedful, "that reſtriction be maid thairof, in this maner: "That no man within burgh that lives be mer- "chandice, bot gif he be a perſoun conſtitute in "dignitie, as alderman, baillie, or uther gude "worthy men, that are of the counſall of the "towne, and thair wyfis, wair claiths of ſilk, nor "coſtly ſcarlettis in gownis, or furrings with mer- "trikis. And that they mak thair wyfis and "dochters, in like maner, be abilzeet ganand and "correſpondand for thair eſtate; that is to ſay, on "thair heidis ſchort courchis with lytil hudis, as "are uſit in Flanders, England, and other coun- "treis. And as to thair gownis, that na wemen "weir mertrikis, nor letties, tailis unfitten lenth, "nor furrit under, bot on the haly day[a]." This law was evidently dictated by the pride of the great lords to check the vanity of burghers, their wives and daughters, who preſumed to dreſs like lords and ladies.

[a] Acts, James II. ch. 78.

The

The diet of the people of England, in general in this period (if we may believe ſir John Fortescue), was neither coarſe nor ſcanty. "They "drink (ſays he) no water, except when they ab- "ſtain from other drinks, by way of penance, and "from a principle of devotion. They eat plenti- "fully of all kinds of fiſh and fleſh, with which "their country abounds[67]." This was probably intended for a deſcription of the manner in which perſons in good circumſtances, in the richeſt parts of the kingdom, lived in years of plenty. It is alſo neceſſary to remark, that it was the chief deſign of this patriotic writer, to convince his royal pupil, prince Edward, that the ſubjects of a limited monarch were much happier than the ſlaves of an abſolute ſovereign. With this view, he painted both the plenty and proſperity of the Engliſh, and the poverty and miſery of the French, in the ſtrongeſt colours. "The commons in France (ſays he) be "ſo impoveriſhed and deſtroyyd that they may "unith lyve. Thay drynke water, thay eate "apples, with bred right brown, made of rye. "Thay eate no fleſche, but if it be ſelden, a litill "larde, or of the intrails or heds of beſts ſclayne "for the nobles and merchaunts of the land[68]." But though it was true, that England had ſuffered leſs than France by the ravages of war and the exactions of government, and that the Engliſh in general lived better than the French, there is ſuffi- Diet.

[67] Forteſcue de Laudibus Legum Angliæ, cap. 36.
[68] Forteſcue, of abſolute and limited Monarchy, chap. 3.

cient

cient evidence that the labourers and common people, eſpecially in the north of England, did not poſſeſs that plenty and variety of proviſions mentioned by ſir John Forteſcue. Æneas Silvius, afterwards Pope Pius II. aſſures us, that none of the inhabitants of a populous village in Northumberland, in which he lodged, A. D. 1437, had ever ſeen either wine or wheat-bread; and that they expreſſed great ſurpriſe when they ſaw them on his table[69]. In years of ſcarcity, which were too frequent, the common people were involved in great diſtreſs, and not a few of them died of hunger, or of diſeaſes contracted by the uſe of unwholeſome food[70].

Luxury of monks.

The monks in rich monaſteries lived more fully, and even more delicately, than almoſt any other order of men in the kingdom. The office of chief cook was one of the great offices in theſe monaſteries, and was conferred, with great impartiality, on that brother who had ſtudied the art of cookery with moſt ſucceſs. The hiſtorian of Croyland abbey ſpeaks highly in praiſe of brother Laurence Chateres, the cook of that monaſtery; who, prompted by the love of God, and zeal for religion, had given forty pounds (equivalent to 400l. at preſent) "for the recreation of the convent with the "milk of almonds on fiſh-days." He gives us alſo a long and very particular ſtatute that was

[69] Opera Pii Secundi, p. 5.

[70] Hiſt. Croyland, p. 518. See p. 173, 174, of this volume.

made

made for the equitable diſtribution of this almond-milk, with the fineſt bread and beſt honey [71].

Of the ſecular clergy.

The ſecular clergy were no enemies to the pleaſures of the table; and ſome of them contrived to convert gluttony and drunkenneſs into religious ceremonies, by the celebration of glutton-maſſes, as they very properly called them. Theſe glutton-maſſes were celebrated five times a-year, in honour of the Virgin Mary, in this manner: Early in the morning, the people of the pariſh aſſembled in the church, loaded with ample ſtores of meats and drinks of all kinds. As ſoon as maſs ended the feaſt began, in which the clergy and laity engaged with equal ardour. The church was turned into a tavern, and became a ſcene of exceſſive riot and intemperance. The prieſts and people of different pariſhes entered into formal conteſts, which of them ſhould have the greateſt glutton-maſs, i. e. which of them ſhould devour the greateſt quantities of meat and drink, in honour of the holy Virgin [72].

Scotland.

The Engliſh noblemen and gentlemen who accompanied James I. and his queen into Scotland, A. D. 1424, introduced, it is ſaid, a more luxurious way of living into that kingdom than had formerly been known; which gave great offence to ſuch of the nobility as admired the temperance and frugality of their anceſtors. Henry Wardlaw, biſhop of St. Andrew's (if we may believe Hector Boyce),

[71] Hiſt. Croyland, p. 497, 498.
[72] Wilkin. Concilia, tom. 3. p. 389.

Boyce), made a long and eloquent harangue to the king in a parliament at Perth, A. D. 1433, againſt that new and extravagant mode of living introduced by the Engliſh; and in conſequence of that harangue, an act of parliament was made, regulating the manner in which perſons of all orders ſhould live, and, in particular, prohibiting the uſe of pies and other baked meats (then firſt known in Scotland) to all under the rank of barons [73].

Manner of living in great families.

It was now become the cuſtom in great families, to have four meals a-day, viz. breakfaſts, dinners, ſuppers, and liveries, which was a kind of collation in their bed-chambers, immediately before they went to reſt. As our anceſtors in this period were ſtill early riſers, they breakfaſted at ſeven, and dined at ten o'clock forenoon, ſupped at four afternoon, and had their liveries between eight and nine; ſoon after which they went to bed. But though they breakfaſted thus early, their appetites ſeem to have been ſufficiently keen [74]. The breakfaſt of an earl and his counteſs, on Sundays, Tueſdays, Thurſdays, and Saturdays, in the holy faſt of Lent, was "firſt a loaf of bread in "trenchors, two manchetts [75], a quart of beer, a "quart of wine, two pieces of falt fiſh, ſix ba"coned herrings, four white herrings, or a diſh of

[73] H. Boeth. lib. 14. f. 350.

[74] Northumberland family-book, c. 21, and notes on p. 319.

[75] A manchet was a ſmall loaf of the fineſt bread, weight 6 ounces.

"ſproits."

"ſproits [76]." This, for two perſons, at ſeven o'clock in the morning, was a tolerable allowance for a day of faſting. Their ſuppers on theſe days were equally plentiful. Their breakfaſt on fleſh-days was, "firſt a loaf of bread in trenchors, two "manchetts, a quart of beer, a quart of wine, half "a chyne of mutton, or a chyne of beef boiled [77]." The liveries, or evening-collations, for the lord and lady were, "firſt two manchetts, a loaf of "houſehold bread, a gallon of beer, and a quart "of wine [78]." The wine was warmed, and mixed with ſpiceries. No rule was fixed for dinners, as theſe were the principal meals, at which they entertained their company. It is remarkable, that ſhopkeepers, mechanics, and labourers, breakfaſted at eight in the morning, dined at noon, and ſupped at ſix in the evening; which were later hours than thoſe of the nobility. So different are the cuſtoms of one age from thoſe of another.

Entertainment.

The hoſpitality of the great and opulent barons of this period hath been already mentioned [79]. Theſe barons not only kept numerous houſeholds, but they frequently entertained ſtill greater numbers of their retainers, friends, and vaſſals. Theſe entertainments were conducted with much formal pomp and ſtatelineſs, but not with equal delicacy and cleanlineſs. The lord of the manſion ſat in ſtate, in his great chamber, at the head of his long clumſy oaken board; and his gueſts were ſeated

[76] Northumberland family-book, p. 73.
[77] Id. p. 75.
[78] Id. p. 96.
[79] See p. 287, 288.

on

on each ſide, on long hard benches or forms, exactly according to their ſtations; and happy was the man whoſe rank intitled him to be placed above the great family ſilver-ſalt in the middle. The table was loaded with capacious pewter diſhes, filled with ſalted beef, mutton, and butcher-meat of all kinds; with veniſon, poultry, ſea-fowls, wild-fowls, game, fiſh, &c. &c. dreſſed in different ways, according to the faſhion of the times. The ſide-boards were plentifully furniſhed with ale, beer, and wines, which were handed to the company, when called for, in pewter and wooden cups, by the mareſchals, grooms, yeomen, and waiters of the chamber, ranged in regular order. But with all this pomp and plenty, there was little elegance. The gueſts were all obliged to uſe their fingers inſtead of forks, as theſe moſt ſimple and uſeful inſtruments, which contribute ſo much to cleanlineſs, were not yet invented [50]. They ſat down to table at ten o'clock in the forenoon, and did not riſe from it till one in the afternoon; by which three of the beſt hours of the day were conſumed in gormandizing [51].

Great feaſts.

The feaſts at coronations and royal marriages, and at the inſtallations of great prelates, were exceedingly ſplendid in this period; and at theſe feaſts prodigious multitudes were entertained. The marriage feaſt of Henry IV. and his queen, Jane of Navarre, conſiſted of ſix courſes; three of fleſh

[50] Coryat's Crudities, p. 90, 91.
[51] Northum. Book, p. 310. 314.

and fowls, and three of fiſh. All theſe courſes were accompanied and adorned with *ſuttleties*, as they were called. Theſe *ſuttleties* were figures in paſtry, of men, women, beaſts, birds, &c. placed on the table, to be admired, but not touched. Each figure had a label affixed to it; containing ſome wyſe or witty ſaying, ſuited to the occaſion of the feaſt, which was the reaſon they were called *ſuttletics*[82]. The inſtallation feaſt of George Neville, archbiſhop of York, and chancellor of England, exceeded all others in ſplendour and expence and in the number and quality of the gueſts. The reader may form ſome idea of this enormous feaſt, by peruſing the catalogue of the proviſions prepared for it, which he will find in the Appendix, N° VI.

Few things are more permanent, and leſs liable to change, than national diverſions. The ſports of the field have been the favourite diverſions of perſons of rank and fortune through many ſucceſſive ages; and in the ſhort intervals of peace between one war and another, were purſued with as much ardour in this as in any other period[83]. For more than five centuries after the Norman con- Diverſions permanent.

[82] See Strutt, vol. 2. p. 101—104.

[83] Every baron in Scotland was obliged by law to hunt the wolf four times a-year, attended by all his tenants, in the proper ſeaſon; and every ſheriff, with all the barons and freeholders of his county, were obliged to have three great wolf huntings in the year. But this was from neceſſity, and not merely for amuſement, as that country was ſtill infeſted by theſe deſtructive animals. Black Acts, James I. ch. 115.; James II. ch. 98.

queſt,

queſt, princes, nobles, knights, and eſquires, diſplayed their courage, ſtrength, and dexterity, in horſemanſhip, and the uſe of arms, in ſplendid tilts and tournaments, for the entertainment of the great and the fair; while the common people diverted themſelves with the humbler feats of boxing, wreſtling, leaping, running, &c. &c. Our Saxon anceſtors, in the wilds and woods of Germany, were as deſperate adventurers at games of chance, as the moſt thoughtleſs and fearleſs of their poſterity in the preſent times; and we meet with complaints of the prevalence of this pernicious humour in every intervening age [84]. Miracles, myſteries, and moralities (which have been already deſcribed), continued, with very little variation, to be the only repreſentations that reſembled theatrical entertainments for ſeveral centuries, in the middle ages, and were ſo in the preſent period [85]. The foot ball was, in thoſe times, a favourite diverſion of the common people; and the hand-ball of perſons of rank and fortune, who played with it on horſeback as well as on foot, for great ſums of money [86]. There was never wanting in the middle ages, a great number of jugglers, minſtrels, mimics, mummers, tumblers, rope-dancers, and other artiſts, who ſupported themſelves by diverting others; and they ſeem to have been no contempt-

[84] See vol. 2. p. 373.; vol. 4. p. 403. vol. 6. p. 376.
[85] Paſquier, p. 382.
[86] St. Foix Eſſais ſur Paris, tom. 1. p. 342.

ible

ible performers in their ſeveral arts [87]. In a word, the amuſements of perſons of all ranks, for more than five centuries after the conqueſt, were ſo much the ſame, that it is unneceſſary to give a minute detail of them in every period; and it will be ſufficient to deſcribe, in their proper places, ſuch new amuſements as have been introduced from time to time.

Certain games prohibited.

Such was the martial ſpirit that reigned in our preſent period, that the legiſlators of both the Britiſh kingdoms attempted to compel the people to relinquiſh their moſt favourite paſtimes, and to ſpend all their leiſure hours in archery. With this view, the following law was made in Scotland, A. D. 1424: "It is ſtatute, and the king for-"biddis, that na man play at the fute-ball, under "the pane of 40 ſhillings, als oft as he be taintit: "And that all men buſk thame to be archaris fra "thay be twelve years of age; and that ilk ten "pundis worth of land, thair be maid bowmarkis, "and ſpecially near paroche-kirkis, whair, upone "halie days, men may cum, and at the leiſt "ſchute thryſe about, and have uſage of ar-"chery [88]." With the ſame view, a law was made in England to the following purport—"Though "by the laws of this land, no man ſhall play at "unlawful games, as coits, foot-ball, and the like

[87] In Mr Strutt's work, vol. 2. plate 6. we ſee the figure of a bag piper, with a man on his ſhoulders, dancing to his muſic, and the figure of another artiſt ſtanding on one foot, and balancing a ſpear on his noſe.

[88] Black Acts, James I. c. 19, 20.

" games, but that every able-bodied man ſhall " daily practiſe archery, becauſe the defence of the " kingdom depends on archers; yet notwith- " ſtanding theſe laws, many evil-diſpoſed perſons, " of all ranks, play at thoſe and at other newly- " invented games, called cloſh, kayles, half-boul, " handin-handout, and quickeborde." The act then proceeds to paint, in very ſtrong colours, the fatal effects of playing at theſe games, and to prohibit the uſe of them, under very ſevere penalties [89]. How unhappy were thoſe times, in which ſuch laws were expedient, or rather neceſſary!

Card-playing.

Though card-playing is not named among the new games in the above act of parliament, it was certainly introduced into Britain in the courſe of this period. Playing-cards were made, and probably invented, about the end of the fourteenth or beginnnig of the fifteenth century, by Jaquemin Gringonneur, a painter in Paris. They were invented, it is ſaid, for the amuſement of that unhappy prince, Charles VI. in his lucid intervals. That they were made for, and uſed by that prince, is evident, from the following article in his treaſurer's accounts: " Paid fifty-ſix ſhillings of " Paris, to Jaquemin Gringonneur the painter, " for three packs of cards, gilded with gold, and " painted with diverſe colours and diverſe devices, " to be carried to the king for his amuſement [90]." From the above article we perceive, that playing-

[89] Statute, 17th Ed. IV. c. 3.

[90] Mr. Saintfoix Eſſais ſur Paris, tom. 1. p. 341.

cards

cards were originally very different in their appearance and their price from what they are at preſent. They were gilded, and the figures were painted or illuminated, which required no little ſkill and genius, as well as labour. The price of one pack of theſe cards was no leſs than 18 s. 8 d. of Paris, a very conſiderable ſum in thoſe times. The laſt circumſtance is probably one reaſon that playing-cards were little known or uſed for a good many years after they were invented. Though I have met with ſeveral complaints of the too great prevalence of dice-playing, I have with none with regard to card playing, in the writers of thoſe times. By degrees, however, cards became cheaper, and the uſe of them more common; and we have the evidence of an act of parliament, that both card-playing and card-making were known and practiſed in England before the end of this period. On an application of the card-makers of London to parliament, A. D. 1463, an act was made againſt the importation of playing-cards[e]. But if the progreſs of card-playing was ſlow at firſt, it hath ſince become ſufficiently rapid and extenſive, to the coſt of many unfortunate gameſters, and the loſs of many others, who ſpend too much of their time in that infatuating amuſement.

[e] Statutes, 3d Edw. IV. c. 4.

APPENDIX

TO THE

FIFTH BOOK.

NUMBER I.

Example of the Bombaſt, being part of Thomas de Elmham's deſcription of the Battle of Agincourt.

O! letale bellum, dira ſtrages, clades mortalis, fames mortis, ſitis cruoris inſaciabilis, furibundus impetus, furor impetuoſus, inſania vehemens, crudelis conflictus, inmiſericors ulcio, lancearum fragor inmenſus, ſagittarum garritus, ſecurium concuſſus, enſium vibracio, armorum dirupcio, vulnerum impreſſio, effuſio ſanguinis, induccio mortis, corporum diſſolucio, nobilium occiſio, aër fragoribus horrendis tonitruat, nubes miſſilia impluunt, tellus cruorem abſorbet, ſpiritus à corporibus evolant, ſemiviva corpora proprio ſanguine volutant, cadaveribus occiſorum terræ ſuperficies operitur. Iſte invadit, ille cadit, iſte aggreditur, ille moritur, iſte animum revocat, ille animam cum cruore ſimul eructat, occiſor iraſcitur, occiſus mœrore conteritur, victus reddi deſiderat, victorum impetus reddicionis tempora non exſpectat, ſævicia regnat, pietas exulat, fortes et ſtrenui opprimuntur et montes cadaverum cumilántur, multitudo maxima traditur morti, principes et magnates ducuntur captivi, &c. &c.

NUMBER II.

Carta ordinan Robertum Dominum Boyd Gubernatorem Regni et Perſone Regis.

JACOBUS Dei gratia Rex Scotorum omnibus probis hominibus ſuis ad quos preſentes litere pervenerint ſalutem. Quia nos in parliamento noſtro ultimo tent apud Edinburgh mentem noſtram coram tribus regni noſtri ſtatibus declaravimus quod quamplurimum nobis placuit ut conſanguineus noſter Robertus Dominus Boide gubernationem et regimen noſtre perſone et fratrum noſtrorum et fortaliciorum tanquam unus de intimis noſtris conſuliibus habeat in noſtre auctoritatis regie et juſticie executione uſque ad noſtram etatem legitimam viginti unius annorum. Eapropter dictum Robertum Dominum Boid conſanguineum noſtrum ex concenſu et deliberatione ceterorum dominoru..1 noſtri concilii gubernatorem noſtre perſone ac fratrum noſtrorum et fortaliciorum uſque ad noſtram etatem predictam confecimus et ordinavimus ac ut premittitur conſtitimus et ordinamus per preſentes ſtrictius inhiben ne quis in contrarium preſentis noſtre ordinationis aliquatenus devenire preſumat ſub omni pena quam erga noſtram regiam incurrere poterit majeſtatem in hac parte. Dat ſub magno ſigillo noſtro apud Striveling viceſimo quinto die menſis Octobris anno Domini milleſimo quadringenteſimo ſexageſimo ſexto et regni noſtri ſeptimo.

Faithfully copied from the records of the great ſeal.

NUMBER III.

Pacification of Blackneſs.

THIR ar the articles uppone ye quhilk or ſoverain lord ſall gif commiſſioun under his gret ſele to ye lordis under written. Yat is to ſay ye biſchop of Aberden chancellar the erlis of Huntlie Erole Merſchiale lord Glammys & Alexander Lindeſay to comon conclude & end with yir lordis followand Yat is to ſay ye biſchop of Glaſgw ye erlis of Angus Ergile lord Halis lord Lile the quhilkis lordis ſall haſſe full commiſſioun of my lord prince & of all the lordis being with him.

In the firſt to comone and conclude yat ye kingis hie honor eſtate riale autorite be exaltit conſervit & borne up at he may exhers juſtice univerſally to all his liegis in all ye pertis of his realm.

Item, At his maiſt noble perſone be at all tymes in honor ſecuritie & fredome & at yar be prelatis erlis lordis & baronis & utheris perſons of wiſdome pru'ence and of gud diſpoſition & unſuſpect to his hienes & evinly to all his liegis dayly about his nobil perſoun to the gud giding of his realme and lieges.

Item, Yat all ye perſons being about my lord prince yt has in tym bygane done diſpleſſir to his hienes mak honorabile & agreabile amendis to his hienes be ye wiſdome and diſcretione of the ſaid lordis yar liffis heretage & honouris except.

Item, Yat ye kingis hienes ſall giff honorabill ſuſtentatioun & levin to my lord prince his ſone at ye conſideratione of ye ſaidis lordis.

Item, At wiſs lordis & honourabill perſons of wiſdome and diſcretioun evinly & of gud diſpoſitioun ſal be dayly

about my lord prince for the gud governance of him and ſecurite of his perſon in his tender age.

Item, To aviſs comone & conclude how my lord prince ſall in all times to cum be obedient to his faider ye king & how yt faiderly luff and tendernes ſall at all tymis be had be twex yame.

Item, How ye lordis and uyir perſons being about my lord prince ſall haf or ſoverane lordis favoris & grace & hertly forgevinnys & yar perſons to be in ſecurite as beſt can be diviſit be ye ſaid lordis for ony diſpleſſr done to ye kingis hienes in ony tym bygane.

Item, At my lord prince ſall tak in hertlie favoris all lordis ſpiritual and temporale & all uyris perſons yat has ben with the kingis hienes in conſale or uyir ſervice now in yis tyme of truble.

Item, At al diſcentions and diſcordis now ſtandand or be nd be tuex ony lordis or gret baronis of baith ye pertis ſal be drawin be ye wiſdome of ye ſaid lordis to unite concord ſa yt luff & favour may ſtand ymangis oure ſoverane lordis liegis and peax to be had & juſtice to proced & ſpealy be tuix ye erle of Buchain & lord Lile &c.

The foreſaid pacification was preſented in the firſt parliament of king James IV. and bears to be ſigned by the king's own hand.

Extracted from the regiſters of Parliament.

NUMBER IV.

Liſt of the Members who were preſent the firſt day in the Parliament of Scotland, which met June 1, A. D. 1478; being the firſt liſt of the kind that occurs in the records of Parliament.

Epiſcopi.	*Barones.*	*Commiſſarii burgorum.*
Glaſguen	Dominus Hammiltoun	Edinburgh
Dunkelden	Dns Erſkyn	Aberdeen
Aberdonen	Dns Abernethy	Perth
Moravien	Dns Kilmawaris	Strivelyne
Candide caſe	Dns Maxwale	Linlithgow
	Dns Halibertoun	Hadington,
	Dns Carliſle	Aire
Abbates et Prelati.	Dns Lindeſay de Byris	Ruyerglen
	Dns Lyle	Irwyn
Dumfermlyn	Dns Oliphant	Berwick
Kelſo	Dns Cathkert	Dumbretane
Melroſs	Dns Sommerviie	Carrale
Sti Columbe	Preceptor de Torfechin	Coupir
Kilwynyng	Will. Edmundiſton	Santandris
Secretarius	Dns Stobhall	
Clericus regiſtri	Dns de Baſs	
	Dns de Scraling	
Offici Glaſguen	Dns Craigmillar	
Offici Dunkelden	Dns de Dundaſs	
Offici Laudonie	Dns de Kerſs	
	Dns Robertus Hammiltoun	
Comes Anguſie	Johes Halden de Glenegaſs	
Comes de Rothes	Dns Flemyng	

The

The three committees choſen the firſt day of every Parliament

Ad Cauſas.

Pro Prelatis.

Ninianus Epus Candide caſe
Mag. Will. Elphinſtoun officialis Laudonie
Mag. David Meldrum offic. Dunkelden

Pro Baronibus.

Robertus dominus Lyle
Johes Drummond de Stobhall
Willielmus Preſtoun de Craigmillar

Pro Commiſſariis.

James of Creichton prepoſitus de Edinburgh
Alexander Foulis
Johannes Knollis

Ad Deciſionem Judicii.

Abbas de Calco
Archi.^{nus} Glaſguen Rerik
Theſaura.^{us} Glaſguen Carmichell

Pro Baronibus.

Dns Abernethy
Dns de Skraling
Willms Edmondiſton

Pro Commiſſariis.

Johannes Multrar
Alexander Bunche
Matheus Foreſter

Pro Articulis Adviſandis.

Epi. Glaſguen
Aberdonen
Moravien
Cancellarius
Comes Anguſie
Dns Hammilton
Henricus Caunt
Patricius Baroun
Williemus Monorgund [1]

Very few of the prelates or great barons attended this parliament, owing to their diſcontent, and the diſtracted ſtate of the country, occaſioned by the death of the earl of Mar, and the impriſonment of the duke of Albany, the king's brothers.

[1] Extracted from the records of parliament

NUMBER V.

Letter of Remiſſion by Patrick Graham, Archbiſhop of St. Andrew's, to John Martin, citizen there.

WE Patrick, by the mercy of God, archbiſhop of St. Andrew's, lord of regality thereof, for divers and ſundry reaſonable conſiderations moving us thereto, have remitted, diſcharged, and freely forgiven our lovite John Martine, citizen of our city of St. Andrew's, and by the tenor hereof remits, diſcharges, and freely forgives him, in our ſovereign lord's name and authority, and ours, for the tranſporting forth of the realm, and carrying away, by himſelf, or others in his name, at ſundry times, allow, molten taugh, or other forbidden goods, geer, or merchandize, contrary to the tenor of the acts of parliament, laws and conſtitutions of this realm, and alſo for all other crimes or faults done, committed, aſſiſted to, or fortifyed by him in any time bygone, albeit the ſame be greater than the ſaid ſpecial crime or fault above expreſſed; anent the quhilk we diſpenſe with him, and grants him full free, and plain remiſſion for the ſame; and that he ſhall never be attacht, called, adjourned, ſummoned, nor accuſed therefor, nor yet troubled and moleſted for the ſame, in his perſon, goods, nor geer, any manner of way but to be as free thereof as if the ſamen had never been committed by him; and thir letters of remit to be extended in maiſt ample form, ſo oft as need beis.

N. B. This remit is ſigned by the archbiſhop, and hath part of his ſeal yet to be ſeen upon it.

NUMBER VI.

The Goodly Proviſion made for the inſtallation-feaſt of George Neville, Archbiſhop of York, A. D. 1466.

In wheat, quarters,	300
In ale, tuns,	300
In wine, tuns,	100
In ipocraſſe, pipes,	1
In oxen,	104
In wild bulls,	6
In muttons,	1000
In veals,	304
In porkes,	304
In ſwanns,	400
In geeſe,	2000
In cappons,	1000
In piggs,	2000
In plovers,	400
In quailes,	1200
In fowles called rees,	2400
In peacocks,	104
In mallards and teales,	4000
In cranes,	204
In kidds,	204
In chickens,	2000
In pigeons,	2000
In connies	4000
In bittors,	204
In heronſhaws,	400
In pheſants,	200
In pertridges,	500

In

In woodcocks, -	400
In curliews, - -	100
In egrits, -	1000
In ſtaggs, bucks, and roes,	500 and more
In paſties of veniſon, cold -	4000
In parted diſhes of jellies, -	1000
In plain diſhes of jellies, -	3000
In cold tearts, baked,	4000
In cold cuſtards, baked,	3000
In hot paſties of veniſon, -	1500
In hot cuſtards, -	2000
In pikes and breams, -	308
In porpoiſes and ſeals, -	12

Spices, ſugared delicates, and wafers plenty.

This curious bill of fare will give the reader ſome idea of this enormous feaſt. No turkies are mentioned in it, becauſe they were not then known in England. Cranes, heronſhaws, porpoiſes, and ſeals, are ſeldom ſeen at modern entertainments.

END OF THE TENTH VOLUME.

DIRECTIONS to the BINDER.

Place the firſt plate of Britiſh coins in Vol. II. fronting p. 245.

The ſecond plate of coins in Vol. II. fronting p. 248.

Map of Britain according to Ptolemy's Geography, immediately before the Appendix, in Vol. II. fronting p. 377.

Map of Britain according to Antoninus's Itinerary, in Vol. II. fronting p. 416.

Map of Britain according to the Notitia Impe .., in Vol. II, fronting p. 439.

Map of Britain in the moſt perfect ſtate of the Roman government, in Vol. II. fronting p. 454.

Draught of the walls, facing the Diſſertation on the Roman walls, Vol. II. p. 469.

Map of Saxon England according to the Saxon Chronicle, fronting the firſt page of the Appendix, Vol. IV. p. 405.

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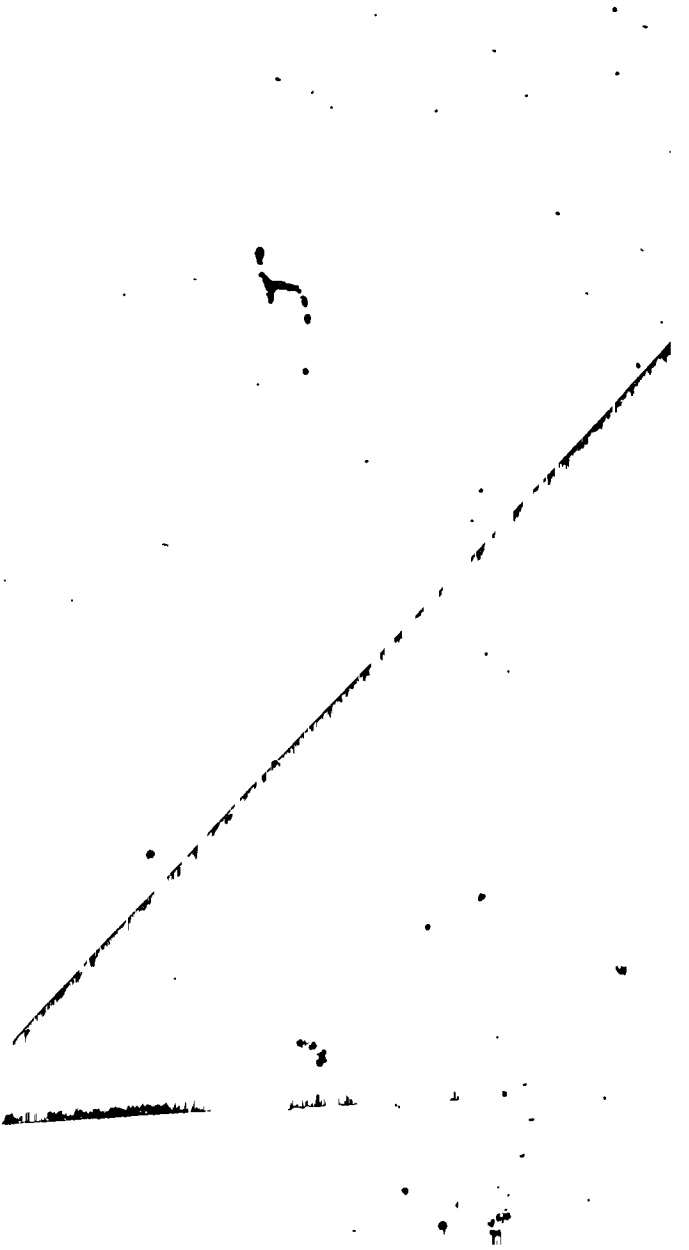

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